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INSIGHTS into EDITORIAL

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INSIGHTS into EDITORIAL

GENERAL STUDIES I

1. Lend a helping hand to children the right way

TOP FIVE STATES WHERE ADOPTED CHILDREN WERE RETURNED

MAHARASHTRA	56
KARNATAKA	25
ODISHA	20
MADHYA PRADESH	18
DELHI	14

In India, 6,650 kids were adopted between 2017-2019. 278 of these adopted children were returned. Of the 278, only three were inter-country adoptions. The other 275 were intra-country adoptions.

Source: CENTRAL ADOPTION RESOURCE AUTHORITY

ThePrint

Context:

The second wave of the COVID-19 pandemic now sweeping India has left many **children orphaned and vulnerable**.

Social media is flooded with requests **to adopt children** who have lost their parents in the pandemic.

And a few non-governmental organisations (NGOs) have come forward to help such children.

However, before handing over an orphan child to any agency, family or person, however well intended the move may be, it is important to be **aware of the laws** that are prevalent and procedures with regard to the **care and the protection** of orphan children rather than face legal action for violations later.

Many options to help:

1. Any individual who finds an orphan child or even any child who needs care and protection under the circumstances, should immediately call the toll free Childline number 1098, an

emergency phone outreach service (managed by the Women and Child Development department's nodal agency, the Childline India Foundation; which operates round the day and on all days across the country.

2. After taking note of the whereabouts of the child, the helpline reaches out immediately and takes charge of the child.

3. These Childline units are nothing but **civil society organisations duly approved by the government.**

4. The second option is to intimate the **district protection officer** concerned whose contact details can be found on the **National Tracking System for Missing and Vulnerable Children portal** maintained by the Women and Child Development department of the Government of India.

5. The third alternative is to approach the nearest police station or its child welfare police officer who is specially trained **to exclusively deal with children either as victims or juvenile delinquents.**

6. Nonetheless, one can always dial the Emergency Response Support System (ERSS) which is a **pan-India single number (112)** based emergency response system for citizens in emergencies and seek the necessary help.

7. The non-reporting of such children is also a **punishable offence** under the JJA or the Juvenile Justice (Care and Protection of Children) Act, 2015.

Court directives to police:

1. The Supreme Court in **Bachpan Bachao Andolan vs Union of India** directed all Directors General of Police, in May 2013, to register a first information report as a case of trafficking or abduction in every case of a missing child.

2. At least one police officer not below the rank of assistant sub-inspector in each police station is mandatorily required to undergo training to deal with children in conflict with the law and in need of care and protection. They are not required to wear a uniform and **need to be child-friendly.**

3. Similarly, each district is supposed to have its special juvenile police unit, headed by an officer not below the rank of a Deputy Superintendent of Police.

4. It is quite often said that **ignorance of the law is not an excuse.**

5. Therefore, if an orphan child is kept by someone without lawful authority, he or she may land themselves in trouble.

6. According to the **Hindu Minority and Guardianship Act, 1956,** the father, and in his absence the mother, is the natural guardian.

7. Not even a close relative can look after the child without authorisation.

Established process for protection of orphan child:

1. In **Sampurna Behrua vs Union of India (2018),** the Supreme Court of India directed States and Union Territories to **ensure that all child care institutions are registered.**

2. Thus, any voluntary or NGO which is not registered as per the requirement of the JJA cannot house children in need of care and protection.

3. Once an orphan child is recovered by the outreach agency, it is the duty of the said agency to produce the child within 24 hours before the Child Welfare Committee (CWC) of the district.

4. The CWC, after an inquiry, decides whether to send the child to a children's home or a fit facility or fit person; if the child is below six years, he or she shall be placed in a specialised adoption agency.

5. The State thus takes care of all such children who are in **need of care and protection, till they turn 18 years.**

6. Once a child is declared legally free for adoption by the CWC, adoption can be done either by Indian prospective adoptive parents or non-resident Indians or foreigners, in that order.

7. Another important feature of the JJA is that it is **secular in nature and simple in procedure** as compared to the Hindu Adoptions and Maintenance Act, 1956 which is not only religion specific but also relatively cumbersome in procedure.

8. Second, the **procedure of adoption is totally transparent** and its progress can be monitored from the portal of the statutory body, the Central Adoption Resource Authority.

Conclusion:

Children are an important national asset, and the well-being of the nation, and its future, depend on how its children grow and develop.

The primary purpose of giving a child in adoption is his **welfare and restoring his or her right to family.**

Article 39 of the Constitution prohibits the tender age of the children from being abused.

Therefore, **orphaned children** who have lost both their parents or abandoned or surrendered due to the COVID-19 pandemic **must not be neglected and left to face an uncertain future.**

They must be taken care of by the authorities entrusted with responsibilities under the JJA.

The Supreme Court in Re: Exploitation of children in Orphanages in the State of Tamil Nadu (2017) inter alia, specifically asked the National Police Academy, Hyderabad and police training academies in every State to prepare training courses on the JJA and provide regular training to police officers in terms of sensitisation.

This directive needs to be implemented in the most humane manner.

GENERAL STUDIES II

1.Creating critical thinkers

MINISTRY OF HUMAN RESOURCES IS NOW MINISTRY OF EDUCATION

FOR SCHOOLS

From 10+2 to 5+3+3+4: Current 10+2 structure in which policy covered schooling from Class 1 to 10 (age 6-16) and then Class 11-12 (age 16-18) gives way to 5 years of foundational education, 3 of preparatory, 3 of middle & 4 years of secondary schooling

Multi-Stream: Flexibility to choose subjects across streams; all subjects to be offered at two levels of proficiency

Diluted Board: Board exams to test only core competencies; could become modular (object and subjective) and will be offered twice a year

Multilingual: 3-language policy to continue with preference for local language medium of instruction till class 8

Bag-Less Days: School students to have 10 bag-less days in a year during which they are exposed to a vocation of choice (i.e. informal internship)

FOR COLLEGES

SAT-Like College Test: National Testing Agency to conduct common college entrance exam twice a year

4-Year Bachelor: 4-year multi-disciplinary bachelor's programme to be preferred; mid-term dropouts to be given credit with option to complete degree after a break

No Affiliation: Over next 15 years colleges will be given graded autonomy to give degrees, affiliation with universities to end, so would deemed university status

Fee Cap: Proposal to cap fee charged by private institutions of higher learning

Going Glocal: Top-rated global universities to be facilitated to come to India, top Indian institutions to be encouraged to go global

Introduction:

Despite the pandemic unleashing in full force, the debate over the last month has entailed a mindless conversation over holding or postponing board examinations instead of **exploring alternatives**.

Rather than viewing this unprecedented situation as a **unique opportunity for re-imagining educational assessments and evaluations** in a world that no longer looks the same, the government insists on the possibility of holding exams in person and posing a further threat to the lives of loved ones.

Real Learning Abilities:

1. An education system that **values creativity** is one that makes a deliberate effort to spark **thoughtfulness and independent thinking**, teaches students how to learn, instils a lifelong love of learning, pushes students to find their own interpretations, and guides the development of a strong moral compass.

2. **Creativity in education** has to do with a **constructivist approach to education**, where learning is an active, contextualised process of knowledge construction that builds on prior knowledge, social interaction and authentic tasks, rather than the passive receiving of information.

3. A culture that allows children to explore, take academic risks and learn from failure is a culture that creates curious, passionate, confident, and empathetic adults.

As Einstein famously noted, "Imagination is more important than knowledge".

Therefore, Alternative ways of thinking:

1. Students and parents have **valid concerns** about the future, which include admissions to higher educational institutions.

2. Nonetheless, considering we are in a worldwide crisis where India cannot afford to have gatherings of small/big groups, why aren't **virtual educational committees being organised to rethink approaches** on assessing student learning?

3. For instance, one of the challenges is deemed as students 'cheating' if the exams were to be **conducted online**.

4. However, if question papers were designed in a way that encouraged students to **critically engage** with the material, contest perspectives and build opinions, no book would be able to provide all the answers.

5. Relatedly, in light of the **right to education** that affirms the **importance of formative assessments,** teachers could be invited to engage in **evaluating student's performance across the year**.

6. If there are concerns around the tendency of schools to self-bolster their performance, reports, portfolios, samples of responses and grades could be shared across a pool of schools so that teachers can anonymously assess and provide **insightful feedback on student performance**, until a **sense of self-accountability and trust can be cultivated.**

7. Opening up possibilities of evaluating students on their performance through the year will contribute towards making evaluation and learning much **more holistic.**

8. Further, **inviting higher educational institutions** to facilitate online entrance exams could be another option **to explore as students gear up for college admissions**.

9. Eventually, the goal could be to involve students in self and peer evaluations so that the **ability to reflect** while participating in learning communities and giving/receiving feedback prepares them for what lies ahead.

10. Thus, a question to consider is whether academic performances can continue to be the sole representation of student growth or we can begin to **redefine student success based on social, emotional and spiritual development benchmarks.**

The teaching-learning process:

The pandemic has facilitated Teachers **to expand their horizons and increase their circle of influence.**

Teachers are transitioning, stronger, to the virtual learning mode, supported by adequate Training for effective use of different learning platforms for engaging students.

Teachers are conducting 'electronic polls', to improve interaction with learners, while visual aids are being increasingly used to help them better understand the application of concepts.

While the teaching-learning process has 'migrated' to the digital medium, their empathetic response to the internet connectivity glitches, while solving doubts on a particular topic, ensures that the **'classroom simulation'** brings to the fore, the human fallibilities of the teacher.

Redefining education should be done immediately:

The **National Curriculum Framework of 2005** affirms the **importance of embracing the emotional, social, physical and intellectual growth** of children **within a framework of human values**.

1. There is perhaps no other country in the world that glorifies examination results and starting salaries the way we do.

2. In most cultures it's a bit rude to talk about these things even in private. But in India, it's the stuff of front-page, prime-time news.

3. Buses and outdoor hoardings are plastered with images of top rankers who have "cracked" significant exams and "aced" standardised tests.

4. We put starting salaries and entrance exams on a pedestal and force a singular definition of success down our collective throats.

5. We have an **opportunity to redefine meaningful education** and even though it does require a concerted change across curriculum in K-12 schools, the entrance criteria determined by higher educational institutions and what we value as communities and societies, we have to start somewhere.

Conclusion:

Viewing this crisis as a signal for urgent change, core issues can be engaged with and re-evaluated to prevent students from being trapped in the current system of cramming, rote learning and anxiety.

The government **needs to give complete autonomy to educational committees** composed of students, teachers, educational leaders, scholars and researchers who can advocate, organise and implement this change nationally and internationally.

Raising the quality of educational assessments and evaluations by involving higher educational institutions may even prevent a mass exodus to international universities so that young leaders can be nurtured to engage with underlying national challenges and **add value by advocating for and sustaining the fabric of a diverse and non-stratified India.**

2.Centre must address the Covid-19 vaccine shortage

Share of the population fully vaccinated against COVID-19
Share of the total population that have received all doses prescribed by the vaccination protocol. This data is only available for countries which report the breakdown of doses administered by first and second doses.

Our World in Data

LINEAR LOG   ⊕ Add country

North America

15%

10%   Europe

                                                                       South America
5%
                                                                       World
                                                                       Asia
0%   Africa
Dec 27, 2020   Jan 15, 2021   Feb 4, 2021   Feb 24, 2021   Mar 16, 2021   Apr 5, 2021   May 4, 2021   Oceania
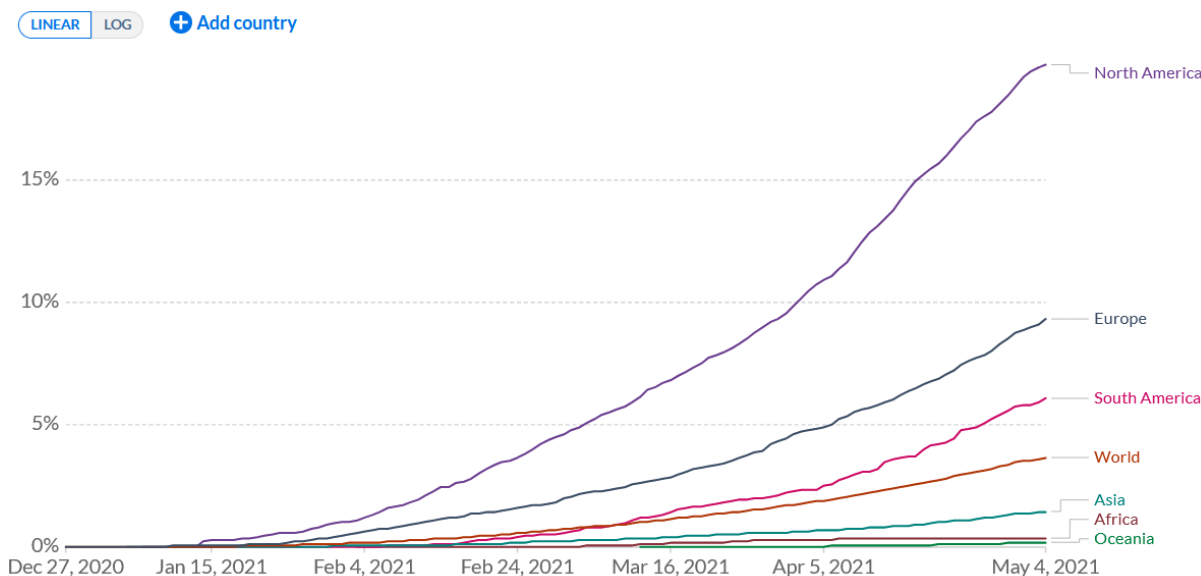
Introduction: In News:

With India experiencing a devastating second wave of the coronavirus pandemic, questions are being asked about how the country which is **home to the world's largest vaccine manufacturer got to this tragic point.**

India continues to **report massive numbers of new infections**. It passed the grim milestone of having reported over 20 million Covid cases and at least 226,188 people have died from the virus, although the reported death toll is believed to be lower than the actual death toll.

In the meantime, India's vaccination program is struggling to make an impact and supplies are problematic, despite the country having **halted vaccine exports** in March **in order to focus on domestic inoculations**.

Pace of the vaccinations has fallen sharply:

1. Even as the vaccine drive for those above 18 years kicked off, amid complaints by several states they were **short of vaccines**, a spreadsheet detailing the quantities that would be available over the next six months is still missing.

2. It was a slow start with the Union health ministry saying only some states would be initiating the third phase of the rollout.

3. Maharashtra chief minister announced the state would start inoculating those in the 18-44 years age bracket, adding it would be a phased process due to the shortage of vaccines.

4. To be sure, the process will be streamlined over the coming weeks, but clarity on the supply pipeline would be helpful given the pace of the vaccinations has fallen sharply when it should be accelerating to fight the ferocity of the infection in the second wave.

5. Going by the current availability scenario, based on the capacity guidance issued by the manufacturers, experts believe that at best about 50% of the population can be inoculated by the end of 2021, in the best-case scenario.

6. This is worrying and probably inadequate to contain the spread of the infection and future 'surges'.

7. While India has negotiated supplies with **Russia's RDIF for Sputnik V** the first batch of 1.5 lakh doses arrived on Saturday it must explore all other options.

8. The government had recently eased the rules on bridging trials for foreign vaccine-makers like Pfizer or a Johnson & Johnson, but there has been no update how talks with these companies are progressing.

This is a **national crisis** and a critical minimum number of people must be inoculated in the next three months by end July. If the budget allocation of Rs 35,000 crore falls short, it needs to be topped up.

<u>Following list enumerates what we ought to do to ensure more Indians have access to more vaccines soon:</u>

<u>Vaccine procurement and supply:</u>

<u>1. Change the vaccination policy</u>: The Centre needs to take charge of all procurement and negotiations with all vaccine suppliers, domestic and foreign, without exception.

It needs to negotiate one price for all supplies from one manufacturer – irrespective of whether the people receive the shot at a government centre or at a private facility.

<u>2. Work with Serum Institute to increase supplies</u>

<u>3. Help Bharat Biotech enhance capacities for Covaxin:</u> The Indian government has staked a claim in the intellectual property rights of Covaxin, since it enabled the development.

It should then facilitate Covaxin manufacturing in the refurbished facilities of other vaccine manufacturers in India and which are currently lying idle.

If not, Bharat Biotech should at least produce the bulk and allow multiple manufacturers to perform the fill and finish activity. This will increase the quantity of Covaxin available.

<u>4. Sign a deal with Pfizer</u>

<u>5. Study Sputnik V agreements with Indian manufacturers</u>

<u>6. Get a plan for the Johnson & Johnson vaccine</u>

<u>7. Explore the Moderna vaccine</u>

<u>8. Monitor progress of domestic and foreign vaccines under development:</u> A number of candidates, both in India and abroad, are in various stages of trials and development.

The government should keep a close watch over all of them and be prepared to act on inviting and/or approving them for use in India at the most opportune moment.

<u>9. Track adverse events:</u> This is critical – especially since all vaccines currently in play have received only emergency-use authorisation.

Experts in India and the EU have already raised concerns about rare side-effects following vaccination by the AstraZeneca shot (Covishield), and experts in the US of the Johnson & Johnson shot.

Regulators should keep a track of adverse events reported in India and abroad, and regularly share reports about them, government scientists' assessments and the basis of their assessments with the public.

<u>10. Consolidate, share and review performance:</u> It's hard to overstate the benefits of a clear and detailed plan supported by an **<u>effective review mechanism.</u>**

The government should help consolidate all the expected supplies, under various arrangements, from all indigenous and imported companies, in one place.

The supply plan should be split by time interval: daily for the first month, weekly for the next two months, and monthly for the next nine months, adding up to an annual plan.

The supply plan should also have the explicit agreement of the vaccine manufacturers.

Way Ahead:

Importantly, states should be **financially supported** at least bridge funding to begin with so that they have **adequate resources** to fund their purchases of vaccines.

Ideally, the Centre should have procured these vaccines and distributed them to the states; that way, the disputes on the differential pricing could have been avoided.

Also, the distribution of vaccines would perhaps have been more equitable with 'stronger' states not running away with the available supplies, thanks to their ability to negotiate with manufacturers.

Conclusion:

In fact, it may still not be too late to reverse the process. This is the time to stand by the states, not move away.

The Centre should determine the actual allocation of stocks to state governments on a daily/weekly basis.

This should be on the **basis of a predetermined template** that anticipates **logistical challenges**, in addition to the **parameters used by the vaccination policy.**

States should have confirmed supply schedules for at least one month at a time and visibility for at least the subsequent two months so that they can plan and **communicate with the people effectively.**

While private hospitals should get their stock at the **uniform price for all parties**, negotiated by the Central government, the state governments should have a say in the allocations between them.

Indeed, logistics within the state should be the responsibility of the state governments, in consultation with the manufacturers.

Finally, **there should be a dashboard** that shows the planned v. actual supplies and planned v. actual vaccinations.

COVID-19 has brought India down to its knees. The country needs vaccines and help from the Centre and state governments to stand up again.

3.What is missing in the draft national electricity policy

KEY SUGGESTIONS IN DRAFT NEP

- Invite private participation in power distribution
- Ensure quality power supply, especially in rural areas
- Coal-based power to continue to be major contributor in power supply, hence reduce dependence on imported coal
- Enhance use to balancing power such as pump hydro storage, hydrogen storage, etc
- Invest in mini grids, mostly those powered by renewable energy
- Speed up 100% smart metering
- Increase use of indigenous power equipment

Context:

The government has finally decided to take the plunge and **revise the National Electricity Policy (NEP)** by invoking Section 3 of the Electricity Act, 2003.

The Act mandates that the central government shall **prepare the NEP** in consultation with the state governments and the Central Electricity Authority.

Draft National Electricity Policy 2021 has been released by the Ministry of Power.

The policy aims to make electricity available to all households in the next five years. NEP 2021 will help to **supply reliable and quality power** of specified **standards efficiently manner** at reasonable rates.

Draft National Electricity Policy 2021:

1. NEP 2021 covers **multiple areas**- grid operation, power markets, regulatory process, energy efficiency, optimal generation mix, transmission, distribution and many more.

2. The draft talks about the creation of Electric Vehicle charging stations, Smart meters, power markets, environment and more.

3. Ministry of Power has created a committee of experts to submit suggestions to the draft NEP 2021 within two months of the release of the draft.

4. The members of the committee include members from state governments, the Ministry of New and Renewable Energy (MNRE), NITI Aayog, and the Central Electricity Authority.

Issues covered by Draft National Electricity Policy 2021:

National Electricity Policy address various issues such as rural electrification, generation, transmission, distribution, recovery of the cost of services and targeted subsidies, technology development and research and development, energy conservation, environmental issues, protection of consumer interests and quality standards, a competition aimed at consumer benefits and more.

Central Electricity Authority or CEA frames the National Electricity Plan once in five years and revise it from time to time according to the National Electricity Policy.

Background:

The **first NEP** was formulated in 2005 and a lot of water has flown under the bridge since then as far as the power sector is concerned.

It is a little surprising that despite the **paradigm shift** that was taking place in the power sector not only in India but across the world, **especially towards decarbonisation**, the government did not bother to revise its NEP for almost 16 years.

Although the government keeps pointing to the fact that peak and energy shortages have come down drastically implying that all is well, the reality is quite to the contrary.

The situation of excess supply is illusory because our demand has not grown at the rate it should have because of the economic downturn since the last couple of years, even before the pandemic.

Improving distribution infrastructure:

1. **Our distribution companies (DICOMS)** have accumulated **outstanding of over `6 lakh crore** and this seems to be going up year after year despite all government programmes aimed at improving distribution infrastructure and restructuring of loans.

2. We have been slow in **adopting more stringent environment norms** for our power stations and we have done practically nothing on **carbon capture and sequestration.**

3. We have not been able to add to our hydro capacity, which could play a crucial role in **balancing the grid** with increasing **thrust on renewable generation.**

4. We have fuel supply issues (coal) and are unable to meet our domestic demand through indigenous mining.

5. The government has constituted a committee that would **finalise the draft NEP** which has been circulated after seeking views of stakeholders.

There are some issues that are important and need consideration:

First, our policy statements are too verbose and lengthy:

1. The first NEP as also the draft circulated now run into several pages, and **are not incisive enough or reader-friendly.**

2. Certain sections contain too much detail, not really germane to the issue.

3. Ideally, policy statements should be crisp and pithy, and should be able to hold on to readers' interest.

4. The main policy document should only cite the direction we intend to take and the reasons for doing so should go as explanatory notes as an addendum to the policy.

The second issue is regarding the **effectiveness of the policy**.

1. The draft policy has a **lot to say on renewable generation**, and rightly so, but what is the guarantee that it would be followed.

2. While the central government may **fix targets on renewable generation capacity**, the implementation will mainly be done by private enterprises.

3. Now, private enterprises will move according to the investment climate as it exists in states.

4. Unfortunately, some states completely shake off investor sentiments by reopening PPAs, or by not paying renewable generators.

5. Such actions would ensure that the objectives of the policy remain unfulfilled. All stakeholders should treat the NEP as mandatory and act accordingly.

6. Similar problems have arisen in the case of the National Tariff Policy (NTP) in the past, where certain states have expressed unwillingness to comply with certain sections of this document.

7. Incidentally, both the NEP and the NTP emanate from Section 3 of the Act.

The third and perhaps the most fundamental issue is whether we should have two separate policy statements, the NEP and the NTP.

1. The first NTP was formulated in 2006 with some minor amendments carried out in 2008, 2011 and 2016.

2. Both these documents exist concurrently, but they practically run into each other's domain.

3. The answer as to why this is happening is simple. It is not really possible to segregate tariff-related issues from electricity policy in general since they are all interlinked.

The draft has been floated in a public forum by the ministry of power for getting comments from stakeholders.

The NEP has introduced several new concepts starting from the **need of micro grids in remote areas** to having a **real time power market** and need for investment in pump hydro generation.

With the rising capacity of renewable energy generation and lack of balancing sources of energy such as gas and large hydro, the NEP has batted for realising the potential of pump hydro storage.

The NEP noted that the country has a potential of 96,524 MW of pump hydro storage and of that barely 4,785 MW has been out up.

Conclusion:

Electricity is an essential requirement for all facets of our life.

It has been recognized as a basic human need. It is a critical infrastructure on which the socio-economic development of the country depends.

Supply of electricity at reasonable rate to rural India is essential for its overall development.

Equally important is **availability of reliable and quality power at competitive rates** to Indian industry to make it **globally competitive** and to enable it to exploit the tremendous potential of employment generation.

Availability of quality supply of electricity is **very crucial to sustained growth of this segment.**

Thus, it would be appropriate to **subsume the NTP into the NEP**, and tariff would be one of the several issues which would be a **matter of electricity policy**.

Prima facie, this will not entail an amendment to the Act and we would have the benefit of a **single holistic policy statement** which would take into account **all the interlinkages.**

4.Supreme Court sets aside law on Maratha reservation
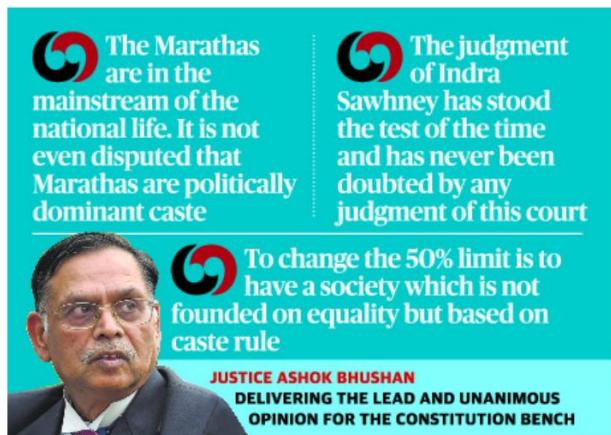
Context:

A five-judge Constitution Bench of the Supreme Court recently held the Maharashtra State Reservation for Socially and Educationally Backward Classes (SEBC) Act of 2018 as unconstitutional.

This Maratha reservation law provides reservation benefits to the Maratha community in admissions and government jobs.

However, the implementation of this reservation took the quota limit in the State in excess of 50%.

Re-examine the 50% reservation cap set by the Mandal case ruling:

The Supreme Court also held that this law does not qualify for the "exceptional circumstances" mentioned in the Indra Sawhney case.

Earlier the Supreme court mentioned that it may re-examine the 50% reservation cap set by the Mandal case ruling of 1992(known as **Indra Sawhney case**).

But during the recent verdict, the court mentioned that there is **no need to revisit the 50% reservation cap**. The court mentioned that the **arbitrary 50% ceiling set by the Mandal case is now constitutionally recognized.**

What will be its impact socio-political of the order?

Marathas, who constitute **32 per cent of state population**, are a major political force to reckon with in Maharashtra.

The discontent amongst the community is likely to manifest once again. The divide between rich and poor Marathas could manifest in new form of politics and protests.

The complex reservation politics had set the process of polarisation between Marathas versus OBCs. With SC's order, it is likely to sharpen the divide on reservation.

Challenges to Maratha reservation:

As argued by **NGO Youth for Equality** and others before the courts, there are three broad challenges to Maratha reservation:

1) The Maratha caste does not qualify as SEBCs under several Articles of the Constitution and the community's claim has been previously rejected by the Mandal and other State Backward Classes commissions.

2) The 12 and 13 per cent reservation to the Marathas would breach the 50 per cent cap on reservation.

3) The Maharashtra legislature lacks the legislative competence to enact the Maratha Reservation Act after the 102nd Amendment to the Constitution came into force on 11 August 2018.

OBC Reservation in India:

1. Reservation for Other Backwards Classes (OBC) was introduced based on the Mandal Commission Report (1991). The **quota for OBCs is 27% in government jobs and higher educational institutions.**

2. However, there is a **concept of 'creamy layer'** with respect to the OBC reservation. Only those from OBC who comes under Non-Creamy Layer would get OBC reservation.

3. The creamy layer concept brings income and social status as parameters to exclude some of the privileged members of OBC from the extent of reservation.

4. This concept also keeps a check to ensure that the benefits of reservation do not get extended to subsequent generations.

50% Cap on Caste-Based Reservations:

1. In **Indra Sawhney vs Union Of India, 1992**, the Supreme Court of India capped caste-based reservation, ruling that "no provision of reservation or preference can be so vigorously pursued as to destroy the very concept of equality".

2. Since this Court has consistently held that the reservation under **Articles 15(4) and 16(4) should not exceed 50%** and the States and the Union have by and large accepted this as correct it should be held as constitutional prohibition and any reservation beyond 50% would liable to be struck down.

3. While introducing the bill for Economic Reservation in 2019, then Finance Minister contended that the 50% cap on reservations imposed by the Supreme Court was only for caste-based reservations, and the Economically Weaker Section (EWS) reservation won't be impacted by it.

Way Forward for applicability of Reservations:

1. As mentioned by the judgment itself the National Backward Classes Commission must **publish a fresh list of SEBCs**, both for states and the central list.

2. Till the publication, the existing lists operating in all states and union territories can continue.

3. The government has to subclassify the Backward Classes like in Tamil Nadu, Andhra Pradesh, West Bengal etc.

4. This will provide the benefit to intended beneficiaries. Since the government has already appointed Justice G Rohini Panel on Sub-categorisation of OBCs. The Panel has to fast pace the sub-classification process.

5. The government has to **remove the well-off sections from the reservation policy**.

6. The government can achieve this by moving away from **reservation based on a citizen's conditions** rather than community-based reservations.

The government under the **103rd Constitution Amendment Act, 2019** again provided a 10% reservation for the EWS in India. The Act also amended **Articles 15 and 16 correspondingly.**

Conclusion:

The democracy is an essential feature of our Constitution and part of our basic structure.

If the reservation goes above 50% limit which is a reasonable, it will be slippery slope, the political pressure, make it hardly to reduce the same.

To change the 50% limit is to have a society which is not founded on equality but **based on caste rule**, the Supreme Court observed in its judgment in Maratha Quota case while reiterating that reservation under **Article 16(4) should not exceed 50% except when there are extraordinary circumstances.**

5.Restructuring the tribunals system

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.**

Context:

The Centre has abolished several appellate tribunals and authorities and transferred their jurisdiction to other existing judicial bodies through the Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance 2021. This Ordinance has been challenged in the Supreme Court.

Sharp criticism against the ordinance by the centre:

The Ordinance has met with sharp criticism for not only bypassing the usual legislative process, but also for **abolishing several tribunals** such as the Film Certification Appellate Tribunal without any stakeholder consultation.

Further, this is not the time that the central government has tried to interfere with the functioning of the tribunal.

This interference of the executive in the domain of the tribunals can be dubbed as violation of separation of powers.

Background for National Tribunals Commission (NTC):

1. The **idea of an NTC** was first mooted in **L. Chandra Kumar v. Union of India (1997),** but it has still not seen the light of day.

2. Initiating dialogue and promoting awareness about the NTC is vital for overcoming the government's inertia in establishing such a body.

3. Developing an **independent oversight body** for accountable governance requires a **legal framework** that protects its independence and impartiality.

4. Where the institutional design is not properly conceived, partisan interests can twist the law to serve political or private interests.

5. In India, **executive interference in** the functioning of tribunals is often seen in matters of appointment and removal of tribunal members, as well as in provision of finances, infrastructure, personnel and other resources required for day-to-day functioning of the tribunals.

6. Therefore, the NTC must be established vide a constitutional amendment or be backed by a statute that guarantees it functional, operational and financial independence.

Need for National Tribunals Commission (NTC) to decrease Judicial backlogs:

1. NTC will need to adhere to the standards set by the judiciary in **maintaining its independence.**

2. Due to an overwhelming executive role, the National Judicial Appointments Commission (NJAC) was seen to be severely compromising the independence of the judiciary.

3. Thus, the executive as well as the bar, being relevant stakeholders, should form a part of any NTC, but it needs to give primacy to judicial members.

4. Developing an independent oversight body for **accountable governance** requires a legal framework that protects its **independence and impartiality.**

5. Therefore, the NTC should be established via a **constitutional amendment** or be backed by a statute that guarantees it functional, operational and financial independence.

Establishment of the National Tribunals Commission (NTC):

1. One way to regulate the matters of tribunals without compromising their independence is the establishment of the National Tribunals Commission (NTC).

2. Despite the Supreme Court's direction in **Rojer Mathew v. South Indian Bank (2019),** no judicial impact assessment was conducted prior to abolishing the tribunals through this Ordinance.

3. While the Ordinance has incorporated the suggestions made in **Madras Bar Association v. Union of India (2020)** on the composition of a search-cum-selection committee and its role in disciplinary proceedings.

4. It has also **fixed a four-year tenure** for Chairpersons and members of tribunals "notwithstanding anything contained in any judgment, order, or decree of any court" by blatantly disregarding the court's direction for fixing a five-year term.

5. Further, the Centre is yet to constitute a **National Tribunals Commission (NTC)**, an independent umbrella body <u>to supervise the functioning of tribunals, appointment of and disciplinary proceedings against members</u>, and to take care of administrative and infrastructural needs of the tribunals.

Administrative duties of the NTC:

1. One of the main reasons that has motivated the idea of NTC is the <u>need for an authority to support uniform administration across all tribunals.</u>

2. <u>The NTC could therefore pave the way for the separation of the administrative and judicial functions carried out by various tribunals.</u>

3. A **'corporatised' structure of NTC** with a Board, a CEO and a Secretariat will allow it to scale up its services and provide **requisite administrative support to all tribunals across the country.**

4. The NTC would ideally take on some duties relating to **administration and oversight.**

5. It could **set performance standards for the efficiency of tribunals** and their own administrative processes.

6. Importantly, it could function as an **independent recruitment body** to develop and operationalise the procedure for disciplinary proceedings and appointment of tribunal members.

7. Giving the NTC the authority to set members' salaries, allowances, and other service conditions, subject to regulations, would help maintain tribunals' independence.

8. Administrative roles of the NTC include providing support services to tribunal members, litigants, and their lawyers.

9. For this purpose, it would need to be able to <u>hire and supervise administrative staff, and to consolidate, improve, and modernise tribunals' infrastructure.</u>

Conclusion:

As the Finance Ministry has been vested with the responsibility for tribunals until the NTC is constituted, it should come up with a transition plan.

It is important to understand that the tribunals were set up to reduce the burden of cases from regular courts.

A reform to the tribunals system in India may as well be one of the keys to remedy the age-old problem that still cripples the Indian judicial system as the **problem of judicial delay and backlog.**

The way to reform the tribunal system is to look at solutions **from a systemic perspective supported by evidence.**

Establishing the NTC will definitely entail a **radical restructuring** of the present tribunals system.

6.A ticking bomb: the pendency problem of Indian courts

Context:

A government with capability and foresight ought to be able to do two things at once, even as it is preoccupied with the Covid pandemic.

Foresight means seeing and acting on the inevitable secondary and future effects of a crisis that is still out of control.

We have seen the **health system fail catastrophically**, and have watched the **economy groan and crumble**.

As like of the above two, **the court system is not far behind.**

Courts are sitting on a pendency bomb and it has never been more urgent to strengthen the subordinate judiciary.

The **economic slump** caused by the lockdowns has also **exacerbated the situation** because, for one, **defaults on debts** and **deliverables are rising**.

When the courts do eventually reopen, what awaits them?

The courts have not worked with a full caseload since March 2020.

1. By and large, over the last year, **only very urgent matters** were being taken up over videoconferencing.

2. Between India's two waves of Covid, a brief attempt to reopen physically was made by some courts, and a **dual-access hybrid system** was trialled, where some could attend physically, with precautions, and others could dial in.

3. However, the regular caseload was still not being taken up. As a result, pendency has risen precipitously across the judicial system 10.35 per cent at the Supreme Court and, more worryingly, 20.5 per cent in the High Courts and 18.2 per cent at the district level.

4. When the lockdown of March 2020 was declared, there were **3.68 crore cases across all levels**; which have **already shot up to 4.42 crore**.

5. By the time physical functioning begins, there will likely be nearly 5 crore pending cases.

Pendency of cases in India:

1. The courts are **working below their sanctioned strength**. As of 2017, High Courts have 403 vacancies out of sanctioned strength of 1,079 judges.

2. But still, there are **no filling of vacancies**. Similarly, subordinate courts have 5,676 vacancies against a sanctioned strength of 22,704 judges. The delay in appointments is increasing vacancies.

3. **Unfilled vacancies** of both judicial and non judicial officers. This increases the burden on existing staff and reduces their productivity.

4. 40000 vacancies of non-judicial support staff in subordinate judiciary. Up to 40% vacancies in High court judges. Similar situation in subordinate judiciary.

5. **Old technologies** used in administration increases time of litigation. Process to adopt new digital technologies is slow.

6. They are sometimes found **indulging in collusive corruption** especially at subordinate levels in order to drag the case. Moreover, the lawyers also demand frequent adjournments for not valid reasons.

Need to correct the whole system at Fundamental level:

1. The system is broken at a fundamental level and from the bottom, the subordinate courts are the primary interface of the people with the justice system.

2. Seventy per cent of prisoners in Indian jails are undertrials, who have never been convicted, and are, therefore, innocent.

3. Few pending cases have moved forward over the last year, and adjournments of six months or more are common. It is little wonder that many citizens have lost faith in the courts.

4. Across India, there are vacancies against even the sanctioned strengths of courts and in the worst performing states those **vacancies exceed 30 per cent.**

5. **District courts** across the country also **suffer from inadequate infrastructure and poor working conditions**, which need **drastic improvement**, particularly if they are to meet the digital expectations raised by the higher judiciary.

Two solutions offered by voices in the senior judiciary:

Digital functioning and a procedural revamping.

Digital functioning:

1. The first is a mirage. Experience has demonstrated that outside of the Supreme Court and certain High Courts, except for bail and other exigencies, courts are not capable of hearing large numbers of cases virtually.
2. There is a **yawning digital divide** between courts, practitioners and clients in metropolitan cities and those outside.
3. Overcoming the hurdles of decrepit infrastructure and digital illiteracy will take years.
4. To expect this kind of change overnight across the nation is **deluded techno-fetishism.**

Procedural revamping:

1. **Procedural quick fixes** are the easiest to accomplish and therefore attractive change at the stroke of a pen.

2. However, they often only serve to reclassify matters.

   a. For, example, the proposal to decriminalise cheque bouncing would certainly get rid of lakhs of cheque bouncing cases, but most would reappear as criminal complaints of cheating, or as civil recovery proceedings.

   b. **Procedural shortcuts** can also problematically alter the rights of parties and introduce uncertainties into the law.

Way Forward:

The **recommendations of the Fifteenth Finance Commission** and the **India Justice Report 2020** have raised the issue and suggested ways **to earmark and deploy funds.**

This is also an opportunity **to correct historical inequalities**. Women judges, and judges from historically-marginalised castes and classes must finally be given a fair share of seats at the table.

These appointments and improvements will require significant but absolutely necessary expenditure.

The only real solution is to substantially increase the strength of the judicial services **by appointing more judges at the subordinate level** improvements must start from the bottom of the pyramid. This proposal is neither new nor radical.

Conclusion:

Strengthening the subordinate judiciary also means providing it with administrative and technical support and prospects for promotion, development and training.

Holding examinations and interviews and appointing more judges and staff is not a simple process and will be nearly impossible until the pandemic has been subdued.

The purse strings must be loosened and **necessary policy decisions must be effectuated rapidly** at both Centre and state levels, **if access to justice is to be meaningful in the years to come.**

7.Expanding the scope of POCSO
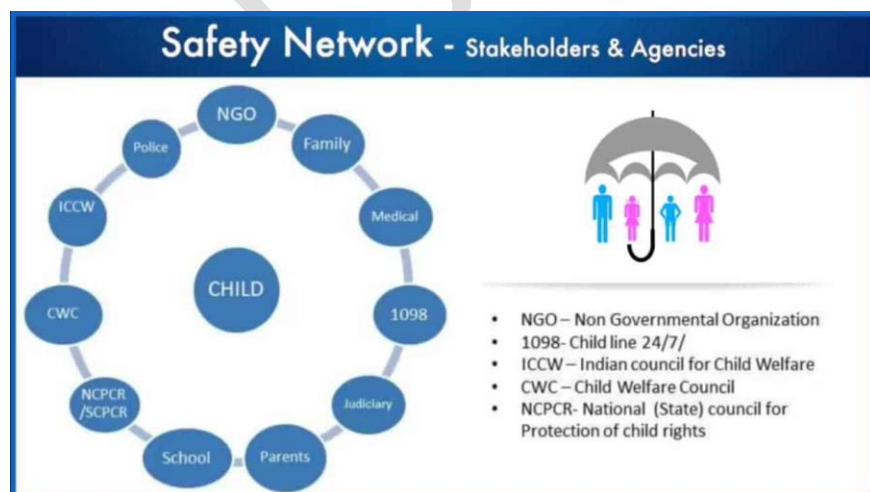
Context:

Recently, the Supreme Court had to **injunct an interpretation** of 'skin-to-skin contact' given by the Bombay High Court.

Another fundamental defect of POCSO is its **inability to deal with historical cases**.

Over the last nine years, India has sought to "**protect children** from offences of sexual assault, sexual harassment and pornography" through the **Protection of Children from Sexual Offences Act (POCSO).**

But POCSO has not been without controversy or deficiency.

Protection of children by the state is guaranteed to Indian citizens by an expansive reading of **Article 21 of the Constitution of India** and also mandated given India's status as a signatory to the **UN Convention on the Rights of the Child.**

Before the implementation of the POCSO Act, the Goa Children's Act, 2003, was the only specific piece of child abuse legislation.

About Protection of Children from Sexual Offences Act, 2012:

1. It was **enacted to protect the children** from offences of sexual assault, sexual harassment and pornography with due regard for **safeguarding the interest and well-being of children.**

2. It was amended in August 2019 to provide more stringent punishment, including the death penalty, for sexual crimes against children.

3. It defines a child as any person **below eighteen years of age** and regards the best interests and welfare of the child as a matter of paramount importance at every stage, to ensure the healthy physical, emotional, intellectual and social development of the child.

4. It deems a sexual assault to be "aggravated" under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority like a family member, police officer, teacher, or doctor.

5. It also casts the police in the role of child protectors during the investigative process.

6. The Act stipulates that a case of child sexual abuse must be disposed of within one year from the date the offence is reported.

Historical child sexual abuse: Efficacy of the prosecution's case:

Historical child sexual abuse refers to incidents that are **reported late.**

Historical abuse is not just confined to institutions but also includes **intra-familial abuse** where it is difficult for the child **to report the offence or offender** at the earliest point in time.

It often takes time for the child to **recognise and comprehend the gravity** of what transpired and become confident to report the offence.

At first glance, this may seem to run counter to the **established principle of criminal law:** that every act of crime must be reported at the earliest and any delay in filing the complaint dilutes the efficacy of the prosecution's case.

Where the fundamental problem lies?

One of the major drawbacks of **delayed reporting** is the **lack of evidence to advance prosecution.**

It is believed that there would be **less than 5% chance for gathering direct physical and medical evidence in such cases.**

India, in particular, suffers from a **lack of procedural guidance** as to how to prosecute historical cases of child sexual abuse.

In contrast, the U.K. has issued **detailed Guidelines on Prosecuting Cases of Child Sexual Abuse** under the Sexual Offences Act of 2003 to assist the police in such cases.

No time limit shall apply for POCSO cases:

1. In 2018, an online petition based on the plea of a child sexual abuse survivor gathered tremendous support.

2. The survivor-petitioner, had unsuccessfully tried to register a complaint against her abuser after a delay of more than 40 years.

3. After having failed to get traction with the police, she had launched an online campaign to raise awareness.

4. Consequently, the Union Ministry of Law and Justice, at the request of the then Minister for Women and Child Development, **clarified that no time limit shall apply for POCSO cases.**

5. Though this was a welcome clarification and would help strengthen the POCSO jurisprudence, it still fails to address the plight of children who were victims of sexual abuse before 2012.

Legal barrier against the registration of historical child sexual offences must be rid-off:

1. Provisions in the Criminal Procedure Code (CrPC) prohibit judicial magistrates from taking cognisance of cases beyond a specific time period.

2. Cases involving child sexual abuse not amounting to rape as defined under Section 376 of the Indian Penal Code (IPC), and prior to the enactment of POCSO in 2012, would presumably be classified under the lesser, and somewhat frivolous, offence of outraging the modesty of a woman (Section 354 of the IPC).

3. As such, any reporting of an offence, under Section 354 of the IPC, **more than three years after the date of incident** would be barred by the CrPC.

4. Such a scenario renders historical reporting of child sexual offences which took place before 2012 legally implausible.

5. This presents an insurmountable legal barrier against the registration of historical child sexual offences which took place before 2012.

6. While the limitation provisions were incorporated into the CrPC **to avert delayed prosecution**, the circumstances around child sexual abuse cannot and must not be viewed in the same manner as other criminal offences.

7. Therein lies a **compelling case to allow delayed reporting** and prosecution with regard to incidents of child sexual offences.

Way Ahead ideas:

Another theory, proposed by Roland C. Summit, is the **accommodation syndrome**: where the child keeps the abuse as a secret because of the fear that no one will believe the abuse, which **leads to accommodative behaviour**.

As such, with **growing research** and **empirical evidence** pointing to behaviour justifying delayed reporting, there is a **need to amend the law to balance the rights of the victims and the accused.**

Conclusion: Need to review the law:

With **growing international jurisprudence** around these issues, and in line with the **UN Convention on the Rights of the Child**, India must revise its legal and procedural methods to deal with historical child sexual abuse.

There is an **urgent need to reform and revise our laws** to account for various developments such as historical reporting of child sexual abuse.

At the very least, the Union government must **frame guidelines to direct effective and purposeful prosecution** in cases which are not covered by the POCSO.

8.Unwarranted arrest: On sedition charges

WHAT IS IT?

- **Sedition law:** Section 124A of the Indian Penal Code, 1860
- **Definition:** Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the government established by law in India, shall be punished
- **Punishment:** Imprisonment for life, to which fine may be added, or imprisonment which may extend to three years, to which fine may be added, or just a fine

WHAT THE SUPREME COURT SAID:
LANDMARK JUDGEMENTS

1962
KEDAR NATH SINGH VS STATE OF BIHAR

The Supreme Court held that "a citizen has a right to say or write whatever he likes about the government, or its measures, by way of criticism or comment, so long as he does not incite people to violence"

1982
P. ALAVI VS STATE OF KERALA

Where the court held that sloganeering, criticising of Parliament or the judicial set-up did not amount to sedition

1995
BALWANT SINGH AND ANR VS STATE OF PUNJAB

The SC says: "Raising some slogan ("Khalistan Zindabad") a couple of times...which neither evoked any response nor any reaction from the public cannot attract such punishment"

Context:

The arrest of an MP from Andhra Pradesh, on the **grave charge of sedition**, is yet another instance of the **misuse of the provision** relating to exciting **"disaffection" against the government.**

The police in different States have been **invoking sedition**, an offence defined in **Section 124A IPC**, against critics of the establishment and prominent dissenters.

However, the arrest of MP is unwarranted, considering that he is being accused of only speech-based offences relating to his diatribe against his party leader and CM.

What is sedition?

The **Indian Penal Code defines sedition (Section 124A)** as an offence committed when "any person by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government established by law in India".

Disaffection includes disloyalty and all feelings of enmity. However, comments without exciting or attempting to excite hatred, contempt or disaffection, will not constitute an offence under this section.

History of Sedition Law in India:

In 1837: **Thomas Macaulay** (Famous for his Macaulay Minute on Indian Education 1835) drafted the Penal Code in 1837. Sedition was placed in the **Penal Code 1837 as Section 113.**

Later, it was omitted, to only be readded in 1870 back in the Penal Code by an amendment **introduced by Sir James Stephen**. British Raj in India had introduced this section on sedition under the title "**Exciting Disaffection".**

IPC Amendment Act of 1898: It made amendments to the changes brought through the Penal Code in 1870.

The current **Section 124A** is said to be similar to the amendments made to it in 1898 with few omissions made in 1937, 1948, 1950, and by Part B States (Law) Act, 1951.

Arguments in support of Section 124A:

1. **Section 124A of the IPC** has its utility in combating anti-national, secessionist and terrorist elements.

2. It protects the elected government from attempts to overthrow the government with violence and illegal means.

3. The continued existence of the government established by law is an essential condition of the stability of the State.

4. If contempt of court invites penal action, contempt of government should also attract punishment.

5. Many districts in different states face a Maoist insurgency and rebel groups virtually run a parallel administration.

6. These groups openly advocate the overthrow of the state government by revolution.

7. Against this backdrop, the **abolition of Section 124A** would be **ill-advised** merely because it has been wrongly invoked in some highly publicized cases.

Arguments Against the Sedition Law:

1. The terms used under Section 124A like **'disaffection' are vague** and subject to different interpretation to the **whims and fancies of the investigating officers.**

2. As the seeds of sedition law were sown in colonial times, it is often described as a **draconian law** that can be used against what is otherwise is **constitutionally guaranteed freedom of speech and expression**

3. **Dissent and criticism of the government** are essential ingredients of robust public debate in a vibrant democracy.

4. They should not be constructed as sedition. Right to question, criticize and change rulers is very fundamental to the idea of democracy.

5. It has an **ill effect on constructive criticism**. As noted by the Supreme Court, views that are different from the government's don't mean seditious. Therefore, sedition laws can demotivate legal and lawful criticism.

6. Britain had repealed the Sedition Act in 2009, hence India should too be long done with this.

7. To penalize the offender for disrupting public order, **IPC and Unlawful Activities Prevention Act 2019** have provisions that can take care of the punishments.

8. India's ratification of the International Covenant on Civil and Political Rights (ICCPR) in 1979 should be seen as a right step towards acknowledging freedom of expression.

9. Hence, with Sedition Law in activity, could lead to the wrong use of the law where people are charged with offence arbitrability for expressing their opinions.

It is now fairly well known that the section is attracted only if there is an imminent threat to public order or there is actual incitement to violence ingredients that are invariably absent in most cases.

In addition, it remains vaguely and too broadly defined (the term 'disaffection' is said to include 'disloyalty' and 'feelings of enmity'), warranting a total reconsideration.

Viewpoint of the Law Commission of India:

1. In August 2018, the Law Commission of India published a consultation paper recommending that it is time to re-think or repeal the Section 124A of the Indian Penal Code that deals with sedition.

2. In its **39th Report (1968)**, the Law Commission had rejected the idea of repealing the section.

3. In its **42nd Report (1971)**, the panel wanted the scope of the section to be expanded to cover the Constitution, the legislature and the judiciary, in addition to the government to be established by law, as institutions against which 'disaffection' should not be tolerated.

4. In the recent consultation paper on the sedition, the Law Commission has suggested invoking 124A to **only criminalize acts** committed with the **intention to disrupt public order** or **to overthrow the Government with violence and illegal means.**

Prosecution under Sedition law should check its misuse:

1. The constitutionality of sedition was challenged in the Supreme Court in **Kedar Nath Vs State of Bihar (1962).**

2. The Court upheld the law on the basis that this power was **required by the state to protect itself.**

3. However, it had added a vital caveat that "a person could be prosecuted for sedition only if his acts caused incitement to violence or intention or tendency to create public disorder or cause disturbance of public peace".

4. It is essential **to protect national integrity**. Given the legal opinion and the views of the government in favour of the law, it is unlikely that Section 124A will be scrapped soon.

5. However, the section should not be misused as a tool to curb free speech. The SC caveat, **given in Kedar Nath case**, on prosecution under the law can check its misuse.

6. Recently, the Supreme Court decided to revisit the constitutionality of this section.

7. While a **judicial verdict will be welcome**, it would be even more protective of free speech if the Centre abolished the provision.

Conclusion:

India is the largest democracy of the world and the **right to free speech and expression is an essential ingredient of democracy**.

The expression or thought that is not in consonance with the policy of the government of the day should not be considered as sedition.

In 1979, India ratified **the International Covenant on Civil and Political Rights (ICCPR),** which sets forth internationally recognized standards for the **protection of freedom of expression.**

However, misuse of sedition and arbitrary slapping of charges are inconsistent with India's international commitments.

Section 124A should not be misused as a tool to curb free speech. The SC caveat, given in **Kedar Nath case**, on prosecution under the law can check its misuse.

It needs to be **examined under the changed facts and circumstances** and also on the anvil of ever-evolving tests of necessity, proportionality and arbitrariness.

9.Govt must urgently reform subsidies to create fiscal space
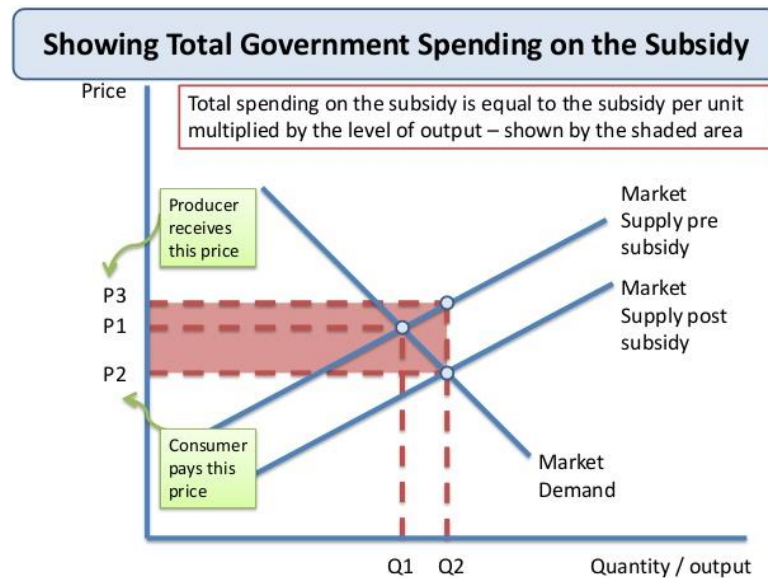
Introduction:

India's growth forecasts are now 1-2 percentage points lower owing to the second wave of coronavirus.

Economic uncertainty has escalated sky high as result. Because of the pandemic's harsher incidence this year and no clarity of exit from its miseries anytime soon, income support is now imperative. The government can no longer remain on the side lines.

With its sorry financial state, it now has to **think structurally and start creating space for income assistance**, whose magnitude and duration is as uncertain as the pandemic.

Vaccine shortage means the post-lockdown reopening will plant seeds of another round of infections, uncertain prospects of mass rapid vaccination suggest Covid-19 will **remain ensconced** without surety as to how it will pan out.

It must brace up for fiscal action by **structural reforms in revenue expenditures**. No longer can these be delayed.

Government measures for effective Public expenditure management (PEM):

1. Establishment of **Public Debt Management Agency**, the proposed agency to manage entire internal and external debts of the government.

2. Government has targeted to reduce the fiscal deficit gradually and stabilize it by 2023 to 2.5%.

3. Removing Plan/Non-plan distinction and instead adopting the **revenue-capital classification of public expenditure** will help in the allocation of more resources for creation of capital assets.

4. Creation of **Monetary Policy Committee** for better inflation targeting.

5. **Deepening of Fiscal Federalism:** More tax revenue has been devolved to states from the divisible tax pool.

6. **Public Fund Management System**: is an online platform to monitor the progress of government schemes

Supply-side stress appears building up too:

There are ample hints the economic toll may be higher, **consumption demand** may **remain subdued** longer than currently foreseen.

1. MSMEs are affected by shutdowns **hurting sales and raw material procurements**, through supply chain linkages, and inability to withstand prolonged pressures.

2. Large firms are impacted by **labour shortages due to migration**, infections or fear besides oxygen usage ban, lowered sales and future demand uncertainties.

3. Feeble demand for credit and loan restructuring is the financial counterpart of this.

4. March quarter's resounding corporate profits suggest K-shape recovery is getting pronounced, compounding inequality.

5. It is evident there's **no wedge in infection and mobility**; it was misleading to have believed that India succeeded in breaking the infection-mobility link as some did last year.

6. A stretching pandemic of unknown duration and spread means **worsening employment-income situation** for the susceptible population segments.

7. The **economic conditions of vulnerable households** are such that income support is absolutely essential.

8. **Enlarged uncertainties** also make it difficult to assess the extent and duration of such assistance. But a beginning has to be made.

Need to overcome revenue shortfalls:

With general **government debt touching 90% of GDP**, debt sustainability and macroeconomic stability are a binding restriction and concerns.

The government also neglected sharing its **views nor revise fiscal rules** (the FRBM Act) or present a detailed medium-term fiscal adjustment plan since the budget presentation.

Action on these lines may have helped impart strength and confidence to overcome revenue shortfalls, exceed expenditure limits without sparking debt sustainability concerns.

Bimal Jalan Committee on expenditure management has recommended steps such as rationalizing subsidies, sticking to a fiscal path, and strategic divestment.

Prudent public finance management would be key to unlocking the growth potential of the Indian economy.

Solution: Bringing subsidy arrears on transparency: Budgeted expenditures must be reoriented:

1. Most have advocated that budgeted expenditures be reoriented to meet the emergency health and income requirements.

2. But this is unlikely to be enough; the fact that government is unwilling to even commit the measly amount required for vaccine procurement is proof.

3. It is time for the government to think **along structural lines,** and **start preparing fiscal space** for this emergency of unknown magnitude and longevity.

4. Just like it responded to Covid-19 with structural reforms last year, it must now follow with **further deepening of revenue-expenditure reforms**.

5. The reforms to agriculture marketing and institutional structures, accounting transparency by bringing subsidy arrears (food, fertilisers) on the balance sheet, raising LPG prices, have all been commendable efforts in this direction.

6. But more recently, there has been regression with the increase in fertiliser subsidies instead of revising issue prices.

7. This derails the reform momentum and diminishes credibility of effort and commitment to improve finances.

8. There are other welfare and often populist expenditures, at both state and central levels, which have risen unabated for far too long and become unsustainable.

9. General finances have eroded, productive expenditures lost out, and it is shameful there is no latitude to support its people in a devastation of this nature and scale.

Conclusion:

In the light of its precarious debt position but pressing need for income support, the government now **needs to prepare a roadmap to restore order** through a believable **redemption plan.**

This must aim to reduce subsidies over the medium-term, starting now howsoever modestly in order to **display commitment and restore credibility**.

For example, it can choose between different pathways to moderation of the food subsidy, i.e. streamline beneficiary eligibility and numbers, revise issue prices, or a mix.

It is clear that **fundamental changes** cannot be delayed any more. **This is the time for reckoning, difficult as it may be.**

10.Nine-pin bowling aimed at free speech, privacy

SOCIAL MEDIA
- Identify 'first originator' of content that authorities consider anti-national
- Appoint grievance officer, resolve complaints in 15 days
- File monthly compliance report on complaints received, action taken

DIGITAL NEWS
- Follow Press Council of India, Cable TV Networks (Regulation) Act norms.
- Self-regulatory bodies to oversee adherence to Code of Ethics
- I&B Ministry to form panel, oversight mechanism

OTT PLATFORMS
- Self-classify content into five age-based categories: U (universal), U/A 7+ (years), U/A 13+, U/A 16+, and A.
- Parental locks for any content classified as U/A 13+ or above.
- Age verification mechanism for content classified as 'A' (adult)

Introduction:

In the digital era, the public at large depends on social media for news, entertainment, etc.

People's dependence on social media is very dangerous at this time since there is a high risk of it being abused.

For this reason, a need was felt for **stringent rules for any form of communication of information via intermediaries.**

India is a huge market for these significant social media intermediaries and it now remains to be seen how the entities will decide to proceed, especially after WhatsApp's lawsuit against the Government of India.

Context:

The three-month deadline for social media platforms to comply with the IT Rules, 2021 ended on May 25, 2021.

The Government of India, on May 26, 2021, issued a letter to all the significant social media intermediaries, asking inter alia, the status of compliance by the said intermediaries.

In lieu of the compliance, WhatsApp filed a lawsuit against the Government of India in the Delhi High Court, contesting mainly Rule 4(2) of the IT Rules, 2021 by relying on the Supreme Court's judgment in the case of **Justice K S Puttaswamy vs Union of India.**

Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021:

1. Recently, the government has notified Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021.

2. These new rules broadly deal with **social media and over-the-top (OTT) platforms**.

3. These rules have been framed in exercise of powers under **section 87 (2)** of the Information Technology (IT) Act, 2000 and in supersession of the earlier Information Technology (Intermediary Guidelines) Rules 2011.

4. The government envisages controlling hate speech which gets proliferated through these platforms and threatens national security.

5. However, critics pointed that the question of stricter regulation of digital media will **lead to restriction of free speech and undermining of democracy**.

The Government also studied the **models in other countries** including Singapore, Australia, EU and UK and has gathered that most of them either have an **institutional mechanism** to regulate digital content or are in the process of setting-up one.

The Rules establish a soft-touch self-regulatory architecture and a Code of Ethics and three tier grievance redressal mechanism for news publishers and OTT Platforms and digital media.

There are ambiguities in the given Rules:

1. The subject of concern now is the **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021**, which threaten to deprive social media platforms of their **safe harbour immunity** in the event of non-compliance with the said rules.

2. While there are **positive aspects** about the said guidelines, there are, equally, glaring ambiguities and stifling susceptibilities that should render these contrary to past Supreme Court of India precedents such as K.S. Puttaswamy.

3. The Rules must be credited for **they mandate duties** such as removal of non-consensual intimate pictures within 24 hours, publication of compliance reports to increase transparency, **setting up of a dispute resolution mechanism** for content removal.

4. Adding a label to information for users to know whether content is advertised, owned, sponsored or exclusively controlled.

Gagging a right: Freedom to circulate one's views:

1. The Supreme Court, in the case of **Life Insurance Corpn. Of India vs Prof. Manubhai D. Shah (1992)** had elevated **'the freedom to circulate one's views as the lifeline of any democratic institution'**.

2. It went on to say that 'any attempt to stifle, suffocate or gag this right would sound a death knell to democracy' and would 'help usher in autocracy or dictatorship'.

3. And so, it becomes increasingly important to critically scrutinise the recent barriers being imposed via these Rules against our right to free speech and expression.

4. The **new IT Rules** which claim to be a piece of subordinate legislation of the IT Act, travel beyond the rule-making power conferred upon them by the IT Act. This makes the Rules ultra vires to the Act.

Fair recourse, privacy issues:

1. An intermediary is now supposed to take down content within 36 hours upon receiving orders from the Government.

2. This deprives the intermediary of a **fair recourse** in the event that it disagrees with the Government's order **due to a strict timeline.**

3. Additionally, it places fetters upon free speech by fixing the Government as the **ultimate adjudicator of objectionable speech online.**

4. The other infamous flaw is how these Rules **undermine the right to privacy by imposing a traceability requirement.**

5. The immunity that users received from end-to-end encryption was that intermediaries did not have access to the contents of their messages.

6. Imposing this mandatory requirement of traceability will **break this immunity**, thereby **weakening the security of the privacy** of these conversations.

7. This will also render all the data from these conversations **vulnerable to attack from ill-intentioned third parties.**

8. The threat here is not only one of privacy but to the **extent of invasion and deprivation from a safe space.**

9. These regulations in the absence of a data protection law, coloured in the backdrop of recent data breach affecting a popular pizza delivery chain and also several airlines highlight a lesson left unlearnt.

On the problem of fake news:

The problem here is that **to eliminate fake news** rather than **defining its ambit** as a **first step,** the Rules proceed to hurriedly take down whatever an arbitrary, ill-decisioned, biased authority may deem as "fake news".

Lastly, the Rules create **futile additional operational costs** for intermediaries by requiring them to have Indian resident nodal officers, compliance officers and grievance officers.

Intermediaries are also required to have offices located in India. This makes profit making a far-fetched goal for multinational corporations and start-up intermediary enterprises.

Therefore, not only do these Rules place a barrier on the "marketplace of ideas" but also on the economic market of intermediaries in general by **adding redundant financial burdens.**

Therefore, concluding words on the rapidly **diluting right to free speech** are only those of **caution of a warning** that democracy stands undermined in direct proportion to every attack made on the **citizen's right** to have a private conversation, to engage in a transaction, **to dissent**, **to have an opinion** and **to articulate** the same without any fear of being imprisoned.

Conclusion:

Regulation has an important place in a liberal democracy.

However, given an environment where people are sensitive to content, the **regulatory mechanism** with a scope of strong government intervention could become an **operational nightmare and hamper creativity & freedom of expression.**

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 is a step toward in the digital area **to protect the rights of the public at large and ensuring justice to all.**

The new rules aim to **establish a self-regulatory framework** for online intermediaries, social media sites, streaming services, and digital media firms.

The Delhi High Court is yet to settle the ever-growing <u>debate over the Rules in</u> **Foundation of Independent Journalism & Ors v. Union of India.**

However, it has gone through **various rounds of critic** for going far beyond anything that is permissible in a democracy and being **in contravention to the Fundamental Right of freedom of speech and expression.**

11.A collage of laws that leaves the worker out in the cold

CODE ON SOCIAL SECURITY

The Code on Social Security Bill has been drafted for the third time in over three years

Draft 1: Universal social security coverage proposed to cover all workers – organised or unorganised, formal or informal, employed or self–employed, irrespective of any threshold

Draft 2: Social security coverage to all workers to be provided in phases; a PPP model proposed for managing provident fund and insurance accounts of workers

Draft 3: Present threshold– based social security system proposed not to be tinkered; no universal social security cover

Context:

As COVID-19 destroys lives and livelihoods, an unprepared government has <u>rendered low-paid, informal workers</u>, who constitute **91% of the workforce**, totally hapless, pushing them further **into poverty.**

Imagine if these same informal workers had **social security** (including free basic curative care in public clinics and hospitals, the elderly had old age pensions, the dying had death/disability insurance or life insurance).

Imagine also that they had **at least a minimum income guarantee**, which prevented them from falling into debt; debt is currently exploding among the poor as their incomes collapsed.

The **Periodic Labour Force Survey** observes that 71% of regular wage/salaried workers in the non-agriculture sector did not have a written contract, and 50% were **without social security cover.**

The new laws, by simplifying compliance, should create an **incentive for workforce formalisation.**

About Code on Social Security 2020:

1. The **code universalizes social security coverage** to those working in the unorganised sector, such as migrant workers, gig workers and platform workers.

2. For the first time, provisions of social security will also be extended to **agricultural workers** also.

3. The code also **reduces the time limit** for receiving gratuity payment from the continuous service of five years to one year for all kinds of employees, including fixed-term employees, contract labour, daily and monthly wage workers.

However, Gaps in the Social Security code:

1. India's Parliament in September 2020 passed a **Social Security Code (SS Code 2020).**

2. Fair enough, but has the Government of India ensured that at least in a year of a nation-wide pandemic, the health Budget for FY 2021-22 is higher than the pathetic **just over 1% of GDP** that it has been for decades.

3. If we leave out the allocation for the COVID-19 vaccine (still mostly unused), then the FY22 health Budget is actually lower.

4. The SS Code 2020 merges existing social security laws and attempts to include informal workers within the **ambit of social security administration**.

5. However, an examination of the code reveals that **universalisation of social security remains an unfulfilled aspiration.**

6. The SS Code 2020 amalgamates and rationalises the provisions of eight existing central labour laws.

7. Of these acts, employees provident fund, employees state insurance (ESI), maternity benefit, gratuity is entirely for **organised sector workers**. This has remained so even in the new scheme of things.

8. For employees' state insurance, the existing employee threshold has been withdrawn and now the central government can extend ESI benefits to any organisation irrespective of the number of workers employed therein. However, there are areas of ambiguity and overlapping too.

Hurdles for informal workers:

Registration is a prerequisite for universal coverage.

To avail social security, an informal worker **must register herself on the specified online portal to be developed by the central government.**

However, is the Code going to provide universal social security to the 91% workers in the informal sector?

1. It proposes that both the central and State governments will **formulate schemes for unorganised workers.**

2. The legal framework as proposed in the Code and Rules, implies that the basic onus lies on informal workers registering as beneficiaries.

3. Similar provisions are already there in existing social security schemes run by State governments under the Unorganized Workers' Social Security Act, 2008.

4. Still, a large number of informal workers are outside the ambit of any social security even after 13 years.

5. The **absence of definite and unambiguous provisions** in the present code would further complicate achievement of universal registration.

6. Also, experience shows that there is an awful lack of awareness among informal workers regarding social security schemes.

7. **Online registration** places a further challenge as most informal workers lack digital literacy and connectivity (already demonstrated by a similar registration requirement for COVID-19 vaccines under CoWIN, the government app).

8. Informal workers also find it difficult to furnish all documentary papers required as part of the registration process.

9. Most informal workers are footloose casual workers (26% of all workers) and self-employed (46% of all). They move from one place to another in search of livelihoods.

10. Furnishing proof of livelihood and income details in the absence of tangible employer-employee relations is very difficult.

11. Such requirements deter informal workers from completing the registration and they continue to remain outside the social security ambit.

Inter-State cooperation must to address the unorganised sector:

1. Further, as **unorganised workers** are **spread across the length and breadth of India,** inter-State arrangement and cooperation becomes imperative.

2. **The code does not provide for such eventualities**. Ideally, the central government should conceptualise a basic structure, which if successful, should be adopted by States after necessary customisation.

3. Without such a basic structure, implications of this code would be too varied across States to be administered.

4. **Providing holistic social security cover** for the unorganised workforce in a simple and effective manner is something lost in the Centre-State labyrinth and jurisdictional or institutional overlap.

5. **The unorganised workforce is all encompassing, minus the minuscule regular workers of organised sectors.**

6. This identity should be primal and all unorganised workers should **have basic social security coverage**, irrespective of labour market classifications.

7. The code fails to undertake such inclusion in a meaningful way.

Key benefits that needs to be applicable to various sections:

Maternity benefit:

Under the SS Code, the provision of maternity benefit has not been made universal.

Maternity benefit is presently applicable for establishments employing 10 workers or more.

The definition of 'Establishment' in the proposed code did not include the unorganised sector.

Hence, women engaged in the unorganised sector would remain outside the purview of maternity benefit.

For informal sector workers, access to employees' provident fund remains unfulfilled too in the new code.

Lost opportunity:

1. **The provision of social security could be used to formalise the workforce to a certain extent**.

2. Employers could have been made to own up to the responsibility of providing social security to their workers.

3. The state has a responsibility but the <u>primary responsibility still lies with employers since they are taking advantage of workers' productivity</u>.

4. **Financial constraints** are there for the state too; but all the code does is to state that **it will design schemes for informal workers as and when it deems fit**.

5. In the end, this code remains a collage of existing pieces of legislation without that interweaving thread of integration. It has promise but cannot meet those expectations.

Conclusion:

<u>**Revamping labour regulations has been an area of focus for the government.**</u>

The objective is to consolidate and simplify the multitude of labour regulations into four labour Codes – the Code on Wages, Social Security, Industrial Relations and Occupational Safety and Health, subsuming 29 existing regulations.

This is a dreadful failure on the part of the state in a time of dire crisis for the nation.

At a time when **India chairs a BRICS meeting in Delhi** (preparatory to a Summit) that is **focused on issues of labour, especially informality**, it fails to even recognise that India is ageing without social security, and the demographic dividend of the young workforce that could support the ageing ends in 15 years.

12. Public buildings and fire safety rules

In News:

The most recent incident, when at least 18 people died after a fire broke out in a COVID hospital in Bharuch in Gujarat.

A spate of recent hospital fires has also been reported from Maharashtra, at Virar, a suburb of Mumbai, and Mumbra near Thane and earlier in the year at Nagpur.

Lacunae in fire safety measures:

1. Fires breaking out in buildings, big and small across India is not a new phenomenon.

2. The **National Crime Records Bureau (NCRB)** says 330 people died in commercial building fires in 2019, while fatalities for residential or dwelling buildings were much higher at 6,329.

3. **Electrical faults** are cited as the leading cause of fires, but State governments are also **widely criticised** for being lax with building safety laws and for **failing to equip public buildings** with modern technology.

4. What are the laws and regulations regarding fire safety and how much or how little various State governments comply with them?

National Building Code of India (Fire and Life safety):

1. National Building Code of India covers the <u>detailed guidelines for construction, maintenance and fire safety of the structures.</u>

2. **National Building Code of India is published by Bureau of Indian Standards** and it is recommendatory document.

3. Guidelines were issued to the States to incorporate the recommendations of National Building Code into their local building bylaws <u>making the recommendations of National Building Code of India as mandatory requirement.</u>

4. This office has also issued advisories on 18th April, 2017 to all the State Governments to incorporate and implement the latest National Building Code of India 2016 Part – IV "Fire & Life Safety" in their building bye-laws.

Do State governments follow the Code?

1. Maharashtra, which has been hit by a series of fires, has a Fire Prevention and Life Safety Measures Act since 2008.

2. Section 3 of the Act makes the provisions of the NBC mandatory and Schedule I of the State's law is borrowed from the Code.

3. However, reports in the wake of recent fire accidents indicate that the authorities have been unable to keep up with inspection requirements for thousands of buildings.

4. A **Comptroller and Auditor General (CAG) report** for the period 2010 to 2015 noted that in Maharashtra, after a "joint physical inspection by audit of 53 government buildings/hospitals/educational institutions/commercial establishments in eight selected MCs [municipal corporations] revealed that only fire extinguishers were installed in 11 of 53 buildings and the remaining 42 buildings were not equipped with any of the fire-fighting installations".

5. Fire department professionals had earlier demanded third-party audits by licensed professionals.

6. In Kerala, obtaining an NOC [no-objection certificate] from the fire department, given in form H-3 for hospitals that are between 15 metres and 24 metres high, requires furnishing exhaustive information on design and infrastructure.

7. The rules prescribe firefighting equipment and installations that meet "**Indian Standards**", but do not contain a direct reference to the NBC.

8. Tamil Nadu's form for a fire licence, required under the **Fire Service Act** read with **municipal law**, is even broader, and no reference is found for compliance with the Code.

Regular Fire Safety Audits:

The main focus of these fire safety audits is:

The occurrence of any fire has the potential to cause severe damage to both life and property.

A **Fire Safety Audit** is the **most effective tool** for assessing the fire safety standards of your facility.

It helps the owners to identify areas where improvement can be made and develop an action plan, in addition to emergency preparedness and mock drills.

1. Identification & control of ignition sources in areas where flammable chemicals are stored / handled / transferred.

2. Review of chemical compatibility in storage areas and to suggest appropriate fire loss control measures

3. Review of electrical hazard which are potential causes of fire

4. Review of fire detection measures adopted & to suggest suitable improvement measures

5. Review of the various active (fire hydrant, sprinkler, portable fire extinguishers) and passive fire protection requirements for chemical storage and handling areas and to suggest improvements as necessary

6. **Review of Fire Alarm system** and emergency fire system of plant

7. **Review of contractor safety awareness** (chemical spill, fire fighting, emergency communication, knowledge of plant hazards & safety regulations) and to recommend suitable improvement measures to enhance contractor safety

8. Review of **safety awareness** and **safety training requirements** (training identification and efficacy) of employees with respect to hazards present.

Conclusion:

The Supreme Court directed all States to carry out fire safety audits of dedicated COVID-19 hospitals.

Recent and earlier fire incidents have clearly demonstrated some of the major shortcomings in our firefighting capabilities along the length and breadth of the country.

The recent fire incident in a hospitals in India has added another dangerous possibility and dimensions to fire accident.

We need to have a serious look at the capabilities of our fire services in this context.

If the tele-therapy machine in the hospital had been damaged, the incident would have assumed a completely different tone and escalated into an even worse tragedy.

It has become evident that State forces lack the manpower to inspect and **ensure compliance with safety codes, including the NBC**, where it is mandatory.

One option is to make heavy **fire liability insurance compulsory** for all public buildings, which would offer protection to occupants and visitors and bring about external inspection of safety.

13.Decoding inequality in a digital world
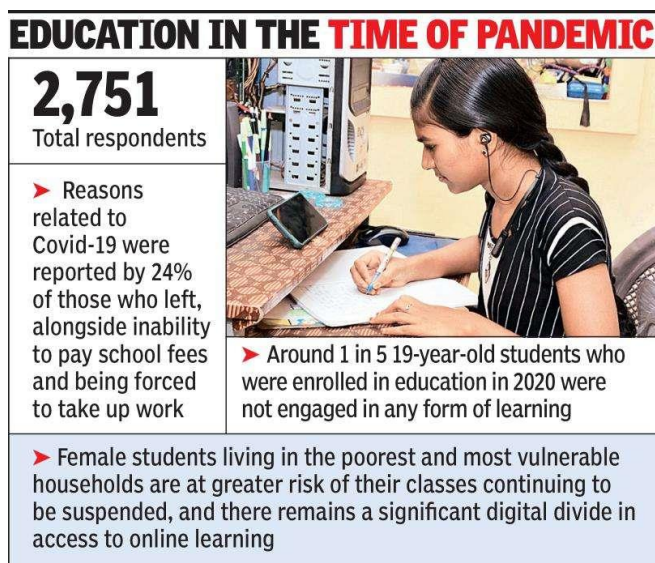
Introduction:

The **novel coronavirus pandemic** has accelerated the use of digital technologies in India, even for **essential services** such as health and education, where access to them might be poor.

Economic inequality has increased: people whose jobs and salaries are protected, face no economic fallout.

The super-rich have even become richer (the net worth of super-rich has increased). The bulk of the Indian population, however, is suffering a huge economic setback.

Several surveys conducted over the past 12 months suggest **widespread job losses and income shocks among those who did not lose jobs.**

The switch in learning through online education:

1. For a few, the switch to online education has been seamless. Notwithstanding the Education Minister's statement in Parliament that no one had been deprived of education because of online learning.

2. According to **National Sample Survey data from 2017**, only 6% rural households and 25% urban households have a computer.

3. Access to Internet facilities is not universal either: 17% in rural areas and 42% in urban areas.

4. Sure, smartphones with data will have improved access over the past four years, yet a significant number of the most vulnerable are struggling.

5. Worse than the immediate economic setback is that well-recognised channels of **economic and social mobility**, education and health are getting rejigged in ways that make **access more inequitable in an already unequal society**.

Education: Reality check on online classes:

Surveys by the **National Council of Educational Research and Training (NCERT), the Azim Premji Foundation, ASER and Oxfam** suggest that between 27% and 60% could not access online classes.

Not able to access because range of reasons:

1. Lack of devices, shared devices, inability to buy "data packs", etc.

2. Lack of stable connectivity jeopardises their evaluations (imagine the Internet going off for two minutes during a timed exam).

3. Besides this, many lack a **learning environment at home**: a quiet space to study is a luxury for many.

4. For instance, 25% Indians lived in single-room dwellings in 2017-19.

    a. If between two and four people share a single room, how can a child study? For girls, there is the additional expectation that they will contribute to domestic chores if they are at home.

5. **Peer learning has also suffered**. When students who did not study in English-medium schools come to colleges where English is the medium of instruction, they struggled.

6. Yet, surrounded by English speakers, however falteringly, many managed to **pick up the language.**

7. Such students have been robbed of this opportunity due to **online education.**

8. While we have kept a **semblance of uninterrupted education**, the fact is that the privileged are getting ahead not necessarily because they are smarter, but because of the privileges they enjoy.

Health sector in India: Abysmally low public spending on health:

1. Something similar is happening with health care. India's abysmally low public spending on health (**barely 1% of GDP**) bears repetition.

2. Partly as a result, the **share of 'out of pocket' (OOP) health expenditure (of total health spending) in India was over 60% in 2018.**

3. Even in a highly privatised health system such as the United States, OOP was merely 10%.

4. Moreover, the private health sector in India is poorly regulated in practice. Both put the poor at a disadvantage in accessing good health care.

5. Right now, the focus is on the shortage of essentials: drugs, hospital beds, oxygen, vaccines.

Just developing applications will not be a reasonable solution in healthcare:

In several instances, developing an app is being seen as a solution for allocation of various health services.

It is assumed that these will work because of people's experience with platforms such as Zomato/Swiggy and Uber/Ola.

We forget that those work reasonably well because restaurants/food and taxis/drivers are available for these platforms to allocate effectively.

Patients are being charged whatever hospitals like, and a black market has developed for scarce services (such as oxygen).

The sensible response to such corrupt practices would be to clamp down on the handful who indulge in them. Instead, those in power are looking for digital options such as making Aadhaar mandatory.

Hurdles creating by Digital Solutions in real world:

1. Digital "solutions" create additional bureaucracy for all sick persons in search of these services without disciplining the culprits.

2. Along with paper work, patients will have to navigate digi-work. Platform- and app-based solutions can exclude the poor entirely, or squeeze their access to scarce health services further.

3. In other spheres (e.g., vaccination) too, digital technologies are creating extra hurdles.

4. The use of CoWIN to book a slot makes it that much harder for those without phones, computers and the Internet.

5. There are reports of techies hogging slots, because they know how to "work" the app. The website is only available in English.

Lack a data privacy law in India: will create chaos: Online sharks:

1. It is also alarming if the pandemic is being used to **create an infrastructure for future exploitation of people's data**.

2. The **digital health ID project** is being pushed during the pandemic when its merits cannot be adequately debated.

3. **Electronic and interoperable health records** are the purported benefits. For patients, interoperability (i.e., you do not have to lug your x-rays, past medication and investigations) can be achieved by decentralising digital storage (say, on smart cards) as France and Taiwan have done.

4. Yet, the Indian government is intent on **creating a centralised database**. Given that we **lack a data privacy law in India**, it is very likely that our health records will end up with private entities without our consent, even weaponised against us (e.g., private insurance companies may use it to deny poor people an insurance policy or charge a higher premium).

5. There are worries that the government is using the **vaccination drive to populate the digital health ID database** (for instance, when people use Aadhaar to register on CoWIN).

6. No one is asking these questions because everyone is desperate to get vaccinated. The government is taking advantage of this desperation.

The point is simple: unless **health expenditure on basic health services** (ward staff, nurses, doctors, laboratory technicians, medicines, beds, oxygen, ventilators) is increased, apps such as Aarogya Setu, Aadhaar and digital health IDs can improve little.

Conclusion:

Virginia Eubank's widely acclaimed book, **Automating Inequality**, alerted us to the ways that **automated decision-making tools exacerbated inequalities**, especially by **raising the barrier** for people to receive services they are entitled to.

Unless laws against medical malpractices are enforced strictly, digital solutions will obfuscate and distract us from the real problem. **We need political, not technocratic, solutions.**

More than 10 years ago, we failed to heed warnings (that have subsequently come true) about exclusion from welfare due to Aadhaar.

Today, there is greater understanding that the harms from Aadhaar and its cousins fall disproportionately on the vulnerable.

Hopefully, the pandemic will teach us to be more discerning about which digital technologies we embrace.

14.Evaluate the Ladakh crisis, keep China at bay

Introduction:

After over a year, the stand-off between Indian and Chinese troops in **eastern Ladakh** shows no signs of resolution.

Disengagement has stalled, China continues to reinforce its troops, and talks have been fruitless.

More broadly, the India-China bilateral relationship has ruptured. Political relations are marked by **hostility and distrust**.

Reversing a long-held policy, New Delhi will no longer overlook the problematic border dispute for the sake of a potentially lucrative wider relationship; now, as India's External Affairs Ministry has made clear, the **relationship is conditional on quietude on the border.**

On the **Line of Actual Control (LAC)** and beyond, India's military and political leaders will **need to learn the right lessons from Ladakh,** to ensure they are better postured to meet the challenge of Chinese coercion.

Study and findings on Ladakh crisis:

In a recent study **published by the Lowy Institute**, the crisis after the crisis: how Ladakh will shape India's competition with China, this writer has argued that the Ladakh crisis offers India **three key lessons** in **managing the intensifying strategic competition with China.**

Revamping strategies:

1. First, **military strategies based on denial** are more useful than strategies based on punishment.

2. The Indian military's standing doctrine calls for deterring adversaries with the threat of massive punitive retaliation for any aggression, capturing enemy territory as bargaining leverage in post-war talks.

3. But this did not deter China from launching unprecedented incursions in May 2020, and the threat lost credibility when retaliation never materialised.

4. In contrast, the Indian military's high-water mark in the crisis was an act of denial its occupation of the heights on the Kailash Range on its side of the LAC in late August.

5. This action served to deny that key terrain to the Chinese People's Liberation Army (PLA), and gave the Indian Army a **stronger defensive position** from which it could **credibly defend a larger segment of its front line.**

China's alignments of the LAC have kept changing:

1. China has in several territorial disputes, **intentionally left its claims ambiguous.**

2. The Chinese haven't stuck to their previously agreed positions. **China's alignments of the LAC have kept changing.**

3. The border skirmishes along the **Line of Actual Control** seem to be **indicative of the Chinese approach to use the border problem to pressurize India on other issues.**

4. A doctrinal focus on denial will give the Indian military greater capacity to thwart future land grabs across the LAC.

5. **By bolstering India's defensive position**, rather than launching an escalatory response, such a strategy is also more likely than punishment **to preserve crisis stability.**

6. Over time, improved denial capabilities may allow India to reduce the resource drain of the increased militarisation of the LAC.

Threats of Political costs:

1. The second key lesson of Ladakh is that China is more likely to be deterred or coerced with the threat of political costs, rather than material costs.

2. Admittedly, the Chinese military's deployment to the LAC was also large and extremely expensive.

3. **China's defence budget is three to four times larger than India's**, and its Western Theatre Command boasts over 200,000 soldiers. The material burden of the crisis would not disrupt its existing priorities.

4. In contrast, India successfully raised the risks of the crisis for China through its **threat of a political rupture**, not military punishment.

5. A permanently hostile India or an accidental escalation to conflict were risks that China, having achieved its tactical goals in the crisis, assessed were an <u>unnecessary additional burden</u> while it was contending with the **instability of its territorial disputes and pandemic response.**

6. To the extent that China adjusted its position in the Ladakh crisis, it did so because it was responding to the <u>cumulative effect of multiple pressure points most of which were out of India's control</u>.

7. <u>Against the rising behemoth</u>, **only coordinated or collective action is likely to be effective.**

Indian Ocean Region is key:

1. The third lesson of Ladakh and possibly the hardest to address is that India should consider accepting more risk on the LAC in exchange for **long-term leverage and influence in the Indian Ocean Region**.

2. From the perspective of **long-term strategic competition**, the future of the Indian Ocean Region is more consequential and more uncertain than the Himalayan frontier.

3. At the land border, the difficult terrain and more even balance of military force means that <u>each side could only eke out minor, strategically modest gains at best.</u>

4. In contrast, India has traditionally been the dominant power in the Indian Ocean Region and stands to cede **significant political influence and security** if it fails to answer the dizzyingly rapid expansion of Chinese military power.

5. The Ladakh crisis, by prompting an **increased militarisation of the LAC**, may prompt India to defer long-overdue military modernisation and maritime expansion into the Indian Ocean.

6. To keep its eyes on the prize, India will have to make tough-minded strategic trade-offs, deliberately <u>prioritising military modernisation and joint force projection over the ground-centric combat arms formations required to defend territory.</u>

7. This will be a politically formidable task blood has now been spilled on the LAC, and for domestic political reasons, India cannot be seen to be passive on the border.

Way Ahead:

Good neighbourhood relations are crucial for national stability and well-being.

If India is to disengage from economic involvement with China and build the capacities and capabilities it needs in manufacturing, and in supply chain networks closer home, it cannot be a prisoner of the short term.

Rebalancing India's strategic priorities will require the central government, through the **Chief of Defence Staff**, to issue **firm strategic guidance to the military services.**

This response will be a test not only of the government's strategic sense and far-sightedness, but also of the **ability of the national security apparatus** to **overcome entrenched bureaucratic and organisational-cultural biases.**

Conclusion:

As these three lessons show, the **future of the strategic competition** is not yet written.

Thus far, India has suffered **unequal strategic costs from the Ladakh crisis**. Chinese troops continue to camp on previously Indian-controlled land, and worse, India may jeopardise its long-term leverage in the more consequential Indian Ocean Region.

But if India's leaders honestly and critically evaluate the crisis, it may yet help to actually brace **India's long-term position against China**.

15.What is happening in Jerusalem?
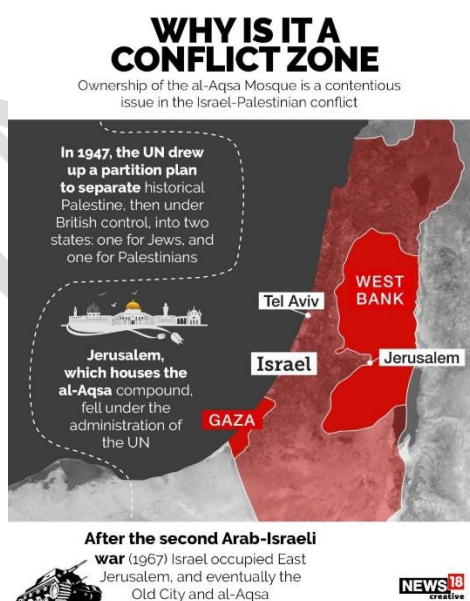
Context:

The worst violence in years continued to rattle **Israel and the Gaza Strip** as rocket attacks on Israeli cities and airstrikes in the Gaza Strip continued for a fourth day.

The mounting death toll now includes 83 Gaza residents, including 17 children, according to Palestinian health officials. On the Israeli side, at least six people, including one teenager, are dead.

Riots and physical fights between **Jewish and Arab Israelis** have also broken out in cities and towns across Israel, prompting Prime Minister Benjamin Netanyahu to threaten to use military force to quash the "anarchy."

Israeli armed forces stormed **Al-Aqsa Mosque** in the Haram esh-Sharif in Jerusalem, ahead of a march by Zionist nationalists commemorating Israel's capture of the eastern half of the city in 1967.

More than 300 Palestinians were injured in the raid. In retaliation, **Hamas**, the **Islamist militant group** that runs Gaza, fired dozens of rockets.

The Israelis launched an airstrike on Gaza in response, killing at least 21 Palestinians, including nine children.

Brief Background: What is the Sheikh Jarrah dispute?

1. Hundreds of thousands of Palestinians were forced out of their homes when the State of Israel was created in historical Palestine in 1948 (the Palestinians call the events 'Nakba', or catastrophe).

2. Twenty-eight of those Palestinian families moved to Sheikh Jarrah in East Jerusalem to settle there.

3. In 1956, when East Jerusalem was ruled by Jordan, the Jordanian Ministry of Construction and Development and the U.N. Relief and Works Agency facilitated the construction of houses for these families in Sheikh Jarrah. But Israel would capture East Jerusalem from Jordan in 1967.

4. By the early 1970s, Jewish agencies started demanding the families leave the land. Jewish committees claimed that the houses sat on land they purchased in 1885 (when Jews were migrating to historic Palestine that was part of the Ottoman Empire).

5. Earlier this year, the Central Court in East Jerusalem upheld a decision to evict four Palestinian families from their homes in Sheikh Jarrah in favor of Jewish settlers.

6. The Israeli Supreme Court was scheduled to hear the case on May 10. But it was postponed on advice from the government amid the ongoing violence in Jerusalem. The issue remains unresolved and potentially inflammable.

Why Jerusalem?

1. Jerusalem has been at the centre of the Israeli-Palestinian conflict. According to the original 1947 UN partition plan, Jerusalem was proposed to be an international city.

2. But in the **first Arab Israel war of 1948**, the Israelis captured the western half of the city, and Jordan took the eastern part, including the Old City that houses Haram al-Sharif.

3. **Al-Aqsa Mosque, Islam's third holiest site, and the Dome of the Rock are situated within Haram esh-Sharif (Noble Sanctury).**

4. One side of the compound, called **Temple Mount by the Jews**, is the Wailing Wall (Western Wall), which is believed to be the remains of the **Second Jewish Temple**, the holiest site in Judaism.

5. **Israel captured East Jerusalem** from Jordan in the **1967 Six-Day War** and annexed it later.

6. Since its annexation, Israel has **expanded settlements in East Jerusalem**, which is now home for some 220,000 Jews.

7. Jews born in East Jerusalem are Israeli citizens, while Palestinians in the city are given conditional residency permits.

8. Palestinians in East Jerusalem, unlike other parts of the occupied West Bank, can, however, apply for Israeli citizenship.

9. Israel sees the whole city as its "**unified, eternal capital**", a claim endorsed by Donald Trump when he was U.S. President but not recognised by most other countries.

10. The Palestinian leadership across the political spectrum have maintained that they would not accept any compromise formula for the future Palestinian state unless East Jerusalem is its capital.

Fight between Israel and Hamas militant group:

1. Israel and Hamas have a history of fighting three wars and various skirmishes since the militant group seized control of Gaza in 2007.

2. Recent outbreaks of fights were mediated by Qatar, Egypt and various other middle east countries.

3. Egypt helps Israel in controlling Gaza's borders to halt weapons from landing in the hands of Hamas.

4. Palestinians however are claiming to be tortured by both Hamas and Israeli army equally which Israel denies.

5. Now a new tension between the two parties has emerged when in mid April 2021 night clashes took place between police and Palestinians.

What is behind the current escalation?

1. Tensions have been building up since the start of Ramzan in mid-April when Israeli police set up barricades at the <u>Damascus Gate outside the occupied Old City, preventing Palestinians from gathering there.</u>

2. As clashes erupted, the police removed the barricades, but tensions were already high.

3. The threatened eviction of dozens of Palestinian families in the **East Jerusalem** neighbourhood of Sheikh Jarrah escalated the crisis further in the last week of Ramzan.

4. Clashes erupted in Jerusalem between Palestinian protesters and Israeli police in which hundreds of Palestinians and over a dozen Israeli police personnel were injured.

5. The Israeli authorities had given permission to the Jerusalem Day march, traditionally taken out by far-right Zionists through the Arab Quarter of the Old City.

6. Hamas issued an ultimatum to the Israeli troops to stand down from Al-Aqsa. By the evening, they launched rockets. Israeli strikes followed.

Conclusion:

The "**two state solution**" is based on a **UN resolution of 1947** which proposed two states - one would be a state where Zionist Jews constituted a majority, the other where the Palestinian Arabs would be a majority of the population. The idea was however rejected by the Arabs.

For decades, it has been held by the international community as the only realistic deal to end the Israeli-Palestinian conflict.

The world at large needs to come **together for a peaceful solution** but the reluctance of the Israeli government and other involved parties have aggravated the issue more.

Thus, a **balanced approach** towards the Israel-Palestine issue would help to maintain favourable relations with Arab countries as well as Israel.

16.What does US departure from Afghanistan mean for South Asia?
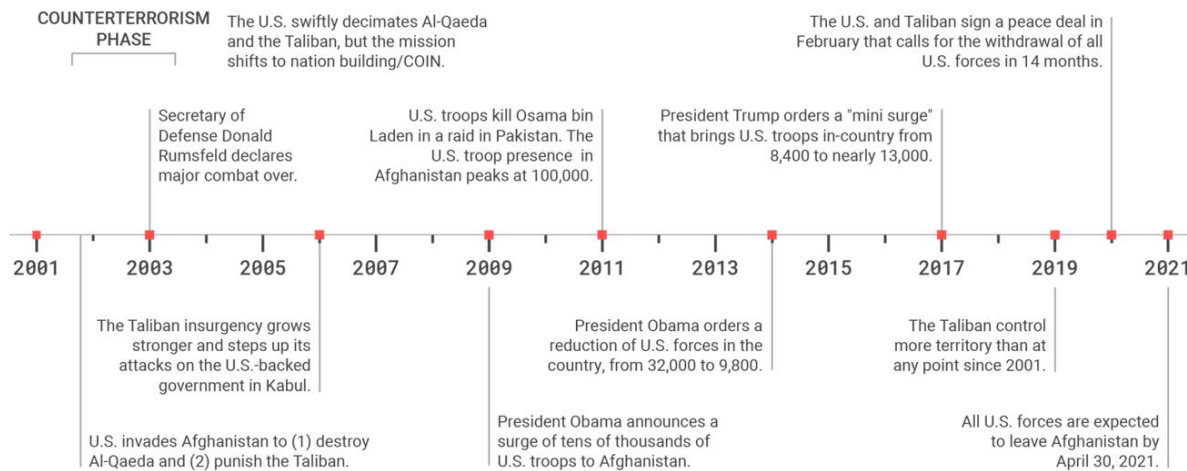
Context:

As the last **American troops** begin to **leave Afghanistan** and the US turns away **from the Middle East to the Indo-Pacific**, there is a scramble to redo the foreign policy maths in the region.

Since it **replaced Britain** as the major external power in Greater Middle East half a century ago, America has been the pivot around which the **regional politics has played out.**

The old colonial powers of Europe deferred to American leadership in the region.

Russia and China, in contrast, sought to chip away at US dominance. Many regional actors sought alliances with America to secure themselves against ambitious or troublesome neighbours. Others sought to balance against America.

After the costly and prolonged military interventions in the Middle East, USA has begun to see that it can't fix centuries-old conflicts in the region.

Even more important, the USA now has other urgent priorities such as the challenge from an assertive China.

Biden will withdraw all U.S. forces from Afghanistan by Sept. 11, 2021:

President Biden will withdraw all American troops from Afghanistan over the coming months, U.S. officials said, completing the military exit by the 20th anniversary of the Sept. 11, 2001, attacks that drew the United States into its longest war.

While the Taliban has promised to renew attacks on U.S. and NATO personnel if foreign troops are not out by the deadline and said in a statement it would not continue to participate in "any conference" about Afghanistan's future until all "foreign forces" have departed.

The Taliban has conducted <u>sputtering talks with the Afghan government, begun under the Trump deal, since last fall.</u>

It was also invited to an <u>additional high-level inter-Afghan discussion in Turkey later this month.</u>

How outside powers will respond to events inside Afghanistan:

1. Following U.S. withdrawal, Afghanistan's neighbours are likely to coalesce around similar strategies to deal with the aftermath.

2. Their preferred outcomes are peace through unification or a **power-sharing arrangement.**

3. A Taliban amenable to negotiation would also be an outcome that regional powers could adapt to and contain.

4. The **least desirable path** for the region is the total collapse of centralized authority in the country or a Taliban unwilling to pursue normal relations and returning to its pre-9/11 international stance.

5. As previously noted, this final outcome is unlikely because the Taliban would **<u>not want to invite additional intervention by either the U.S. or other great powers.</u>**

The US withdrawal from Afghanistan poses major challenges to the Subcontinent:

1. India and Pakistan, for very different reasons, would have liked to see the US forces stay forever in Afghanistan.

2. For India, American military presence would have kept a **<u>check on extremist forces</u>** and created **<u>conducive conditions</u>** for an Indian role in Afghanistan.

3. For Pakistan, American military presence in Afghanistan keeps the US utterly dependent on Pakistan for **<u>geographic access and operational support</u>**. And that dependence in turn could be **mobilised against India**.

4. But America is leaving Afghanistan. India and Pakistan will have to live with the consequences that include the triumphal return of the Taliban to power in Kabul and a boost to violent religious extremism across the region.

India's needs to be play smart statecraft with the regional actors politics:

1. India's emphasis on good relations with all the regional actors without a reference to their conflicts has been vindicated by the turn of events.

2. Barring Turkey, which turned hostile to India under Erdogan, <u>India has managed to expand its ties with most regional actors.</u>

3. Hopefully, the new regional churn will encourage Turkey to take a fresh look at its relations with India.

4. If India has been pragmatic, Pakistan has struggled to recalibrate its policies towards the Middle East.

5. It is unable to overcome the **<u>domestic ideological opposition</u>** to establishing diplomatic ties with Israel despite the recognition that a normal relationship with the Jewish state serves Pakistan's interests.

6. Pakistan also fell between the stools in coping with regional rivalries in the Middle East.

7. America's exit from Afghanistan will **trigger a geopolitical flux in the region**.

8. As these factors will increasingly push India into a geopolitical tough spot in the region, **smart statecraft**, therefore, is required <u>to deal with changing dynamics in Afghanistan.</u>

Learning to live with neighbours has then become an urgent priority:

1. As America steps back from the Middle East, <u>most regional actors either need alternate patrons or reduced tensions with their neighbours.</u>

2. Although China and Russia have regional ambitions, neither of them bring the kind of strategic heft America brought to bear on the Middle East all these decades.

3. Turkey has figured that its troubled economy can't sustain the ambitious regional policies of President Recep Tayyip Erdogan.

4. After years of challenging Saudi leadership of the Islamic world, Erdogan is offering an olive branch to Riyadh.

5. After years of intense mutual hostility, Saudi Arabia and Iran are now exploring means to reduce bilateral tensions and moderate their proxy wars in the region.

6. Saudi Arabia is also trying to **heal the rift within the Gulf** by ending the earlier effort to isolate Qatar.

7. These changes come in the wake of the big moves last year by some Arab states the UAE, Bahrain, Morocco and Sudan to normalise ties with Israel.

Need to maintain the peace and stability in the region:

1. The end of direct U.S. involvement in Afghanistan **does not guarantee a long-term decline in regional stability.**

2. It does, however, guarantee a shift in U.S. attention away from unwinnable conflicts and increased efforts by local powers to stabilize Afghanistan.

3. Most regional powers must in some way deal with the aftermath of a U.S. withdrawal, whether **through diplomacy, military containment, or some combination.**

4. The U.S. presence in Afghanistan distorts **regional dynamics** between Afghanistan and its neighbours.

5. Though **short-term instability** will likely rise after withdrawal, the interests of neighbouring states, some of them U.S. strategic competitors, ensure they will work to restore some sort of balance to Afghanistan's affairs.

6. The region may end up looking similar to its geopolitical equilibrium prior to the U.S. invasion but with regional states having increased interests to deal with terrorist organizations.

7. This also means that the nearby countries are not likely to object to the U.S. retaining some ability to strike at non-state actors through indirect methods and proxies in the region should the need arise.

Conclusion:

The **prospect of trans-border links** between the Taliban and other extremist forces in the region is a **challenge that South Asian states** will have to confront sooner than later.

Soaring levels of violence in Afghanistan and recent attack on Mohamed Nasheed, the former president of Maldives, underlines **South Asia's enduring challenges with terrorism.**

Unless the South Asian states collaborate on countering extremism and terrorism, every one of them will be weakened.

Finally, the current turmoil in the Greater Middle East underlines the dangers of the Subcontinent forgetting that nationalist interest of the state must prevail over all other considerations, including religious ones.

In Pakistan, the religious forces empowered over the last many decades have tied Pakistan's foreign policy towards the Middle East, South Asia and Europe into knots.

A state that cedes power to extremism of any kind courts the danger of being consumed by it.

GENERAL STUDIES III

1.The end of the road for India's GST?
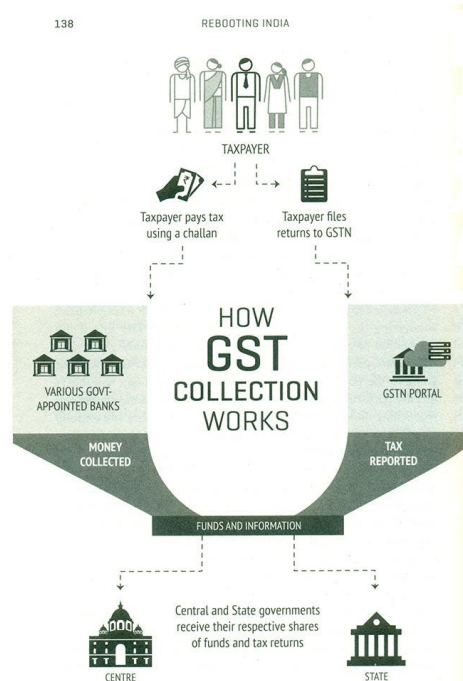
Context:

The 43rd meeting of the Goods and Services Tax (GST) Council is to be held today.

Representatives of 31 States and Union Territories are expected to attend. States are **dependent on GST collections** for **nearly half of their tax revenues**.

The GST Council was mandated **to meet at least once every quarter**, but it had not met for two quarters, ostensibly due to the pandemic.

The post-GST era has so far witnessed exporter numerous strikes, error and mismatch in returns filed as well as the World Bank calling **GST a very complex Taxation system.**

However, need for a meeting to determine tax revenues for States is evidently a political decision.

About Cooperative Federalism:

The **catchy phrase 'cooperative federalism'** was introduced into India's political lexicon to justify the transition to GST in 2017.

Sadly, like other catchy phrases such as 'Minimum government, maximum governance' and 'Make in India', this too has turned out to be hollow.

Cooperative federalism has a larger meaning beyond just fiscal federalism. It also entails **cooperative political, administrative and governance federalism** between the States and the Centre.

About GST Council:

1. **Article 279A**: GST Council to be formed by the President to administer & govern GST.

2. It's Chairman is Union Finance Minister of India with ministers nominated by the state governments as its members.

3. The council is devised in such a way that the centre will have 1/3rd voting power and the states have 2/3rd. The decisions are taken by 3/4th majority.

4. Under the GST (Compensation to States) Act, 2017, states are **guaranteed compensation for loss of revenue** on account of implementation of GST for a transition period of **five years between 2017 and 22.**

5. The compensation is calculated based on the difference between the states current GST revenue and the protected revenue after estimating an **annualised 14% growth rate from the base year of 2015-16.**

Critical arguments for present GST implementation:

1. GST has endured so far primarily because the States were guaranteed a 14% growth in their tax revenues every year, which minimised their risks of this new experiment and compensated for their loss of fiscal sovereignty. **This revenue guarantee ends in July 2022.**

2. This can lead to a crumbling of the precarious edifice on which GST stands today.

3. In a situation where the **States have no taxation powers**, their **GST revenues** are **uncertain**, the supposed economic benefits seem phantom, and the hypocrisy of 'cooperative federalism' looms large, what is the incentive for States to continue in a GST regime?

4. When the Prime Minister can impose a draconian lockdown in a ham-fisted manner without consultation or play favourites with critical oxygen supplies during an emergency, there seems very little motivation for the States to cooperate in a chase for an elusive economic goal by **sacrificing their significant economic powers of taxation.**

5. The **15th Finance Commission report** formally acknowledges that GST has been an economic failure that did not deliver on its early promises.

6. GST, as postulated by technocrats, was supposed to be the panacea for India's throttled economy to deliver enormous economic efficiency gains, improve tax buoyancy and collections, boost GDP growth and usher in greater formalisation of the economy.

7. Three years after its launch and even before COVID-19, GST had failed on all those promises.

Presently, Problems underpinning GST:

1. Economists and commentators point to the multiple rates structure, high tax slabs and the complexity of tax filings as the problems underpinning India's GST.

2. These were indeed the initial problems in the way GST was implemented, leading to some of its current woes.

3. But now, GST has a more fundamental problem: **the erosion of 'trust' and 'trustworthiness' between the States and the Centre**.

4. **Technical fixes** such as simplification of GST rates and tax filing systems to restore GST to its initial promise is akin to applying a pain balm to an injury that needs surgery.

5. **The States paid a huge price for GST in terms of loss of fiscal autonomy**.

6. The promised economic gains are invisible, and India's federalism has been ruptured.

The Trust Game and Trustworthiness:

1. The **GST Council** is not an inanimate economic body. It is a **compact of trust between the States and the Centre**, set in the larger context of India's polity.

2. Behavioural economists, such as the Nobel Laureate, Daniel Kahneman, have articulated the *critical role* of the twin attributes of '**trust' and 'trustworthiness'** among heterogeneous participants in an economy.

3. Using a **tool called 'The Trust Game'**, they have demonstrated that the **motive of 'altruism'** leads to the most optimal economic outcome for everyone in the group while a motive of 'spite' leads to the worst outcome for all.

4. The tragedy of the GST Council is that it is afflicted with spite and forced to function under the prevailing cloud of vendetta politics.

5. With elections to another seven States due next year, GST revenue numbers could change dramatically again.

6. If the functioning of the GST Council is subject to the vagaries of elections and consequent vendetta politics, GST will continue to be just a caricature of its initial promise.

Conclusion:

Critics argue that striking a balance among diverse interests of India's numerous parties in a larger political climate of spite and suspicion to arrive at a uniform tax policy for the nation is a near impossibility.

The tapestry of India's GST was stitched on a **fabric of implicit trust and painted with vibrant economic colours**.

The fabric is now torn and the colours have faded. The loose thread of guaranteed revenues that holds this together is about to snap.

The end of India's grand GST experiment seems inevitable unless there is a radical shift in the tone and tenor of India's federal politics, backed by an extension of **revenue guarantee for the States for another five years.**

Thus, **GST is a positive step towards shifting Indian economy from the informal to formal economy.**

It is important to utilise experiences from global economies that have implemented GST before us, **to overcome the impending challenges.**

2.Back in the shortage economy
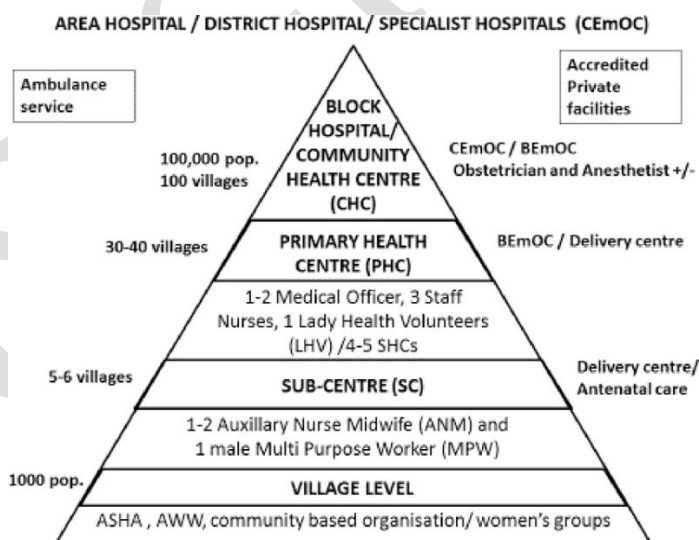
Introduction:

We have been **witnessing shortages** of almost everything needed to treat COVID-19 patients: hospital beds, drugs, ventilators and, above all, oxygen.

The world has taken note, and offers of help have come in from the U.S., the U.K., the European Union, and even China.

India is once again the focus of global attention, as it was in the mid-1960s when two consecutive years of drought resulted in a severe shortage of food.

Then, India had to turn to the U.S. for assistance. This did arrive, but grudgingly, for India had not supported the West during the Cold War.

Food shortages during 1960's:

1. Though that moment in our history is not a happy memory, that of the response of the country's then leadership is inspiring.

2. Prime Ministers Lal Bahadur Shastri, Indira Gandhi and their cabinet colleagues had stirred the scientific and bureaucratic communities to bring about a quantum leap in food production.

3. This was achieved within a few years. No one imagined that India, a byword for a basket case, would be able to feed itself.

Lessons from the sixties:

1. Unlike the two years of drought that tipped the country into food shortages in the mid-sixties, the **need for ramping up the health infrastructure** could have been anticipated in March 2020 when a lockdown was announced at very short notice.

2. In fact, the medical case for a lockdown was that it would slow the spread of the disease thus avoiding overwhelming the health system and **giving time to strengthen the capacity of the health system.**

3. The lesson from the Green Revolution is that India has recovered from extremely trying crises, under the most adverse of circumstances, in the past.

4. It is entirely possible to replicate this now, but **we need sincere and competent leadership.**

Measures that are absolutely necessary today:

1. In many ways the task is far easier today. Now India has something that it lacked in the mid-sixties, namely, **industrial muscle**.

2. It should not be too difficult to ramp up hospital beds, ventilators and oxygen supply within a reasonable time.

3. That certain parts of the country actually have a surplus of oxygen should give confidence on this score.

4. An additional feature today, again in contrast to the mid-sixties, is the considerable **foreign exchange reserve.**

5. Therefore, **some crucial medical inputs** can be imported, especially vaccines. But it is important to recognise that these measures are absolutely necessary.

6. We should not adopt an ostrich-like posture denying shortage, which the Central government is displaying on the issue of vaccines in particular.

Health spending should increase substantially:

The inter-State variation in the death rate in India is directly related to the extent of health spending in relation to the state domestic product.

It is also related to health infrastructure, but less strongly. This is also true for COVID-19-related deaths across South Asia.

So, to avert a health crisis in the future, the States would have to **raise the level of spending on health very substantially.**

On average, States spend only around 5% of their total expenditure on health.

Way Ahead:

1. To promote preventive care, the Union government has announced the conversion of primary health care centres into Health and Wellness Centers (HWCs).

2. These HWCs will act as the pillar of preventive care and 'gateway' for access to secondary and tertiary health services.

3. Thus, there is a need to accelerate the **establishment of a network HWCs**, for this extra funding through Corporate Social Responsibility (CSR) can be mobilised.

4. Given the major role that States have to play in creating **strong health systems across the country,** allocations provided by the Finance Commission can become the critical catalyst for transforming the nation's health.

5. State governments should be incentivized to invest in creating a **dedicated cadre for public health** at the state, district and block levels.

6. There is a need to ensure people eat right, sleep right, maintain good hygiene, exercise, and adopt a healthy lifestyle that necessitates concerted interventions at various levels of the system.

7. There is need to **create a designated and autonomous focal agency** with the required capacities and linkages to perform the functions of disease surveillance, information gathering on the health impact of policies of key non-health departments, maintenance of national health statistics, enforcement of public health regulations, and dissemination of information to the public.

Conclusion:

The Green Revolution stands out in Indian history as a **display of extraordinary accountability** by the political leadership, combining resolve, humility and intelligence. We crucially miss this today.

Finally, even as we struggle against the **health emergency**, a shortage that we should do everything to avoid is with respect to food.

Food prices shot up from April 2020 suggesting that there may have been a disruption of supply due to the lockdown.

It would be advisable to anticipate a similar disruption following State-level lockdowns now, and take all possible measures **to assure the supply chain**. The kharif operations are set to commence.

As agricultural activity takes place at the level of the States, Prime Minister Narendra Modi **needs to interact closely** with their leaders and the farming community.

This is the abiding lesson from the mid-sixties when we as a nation were in a similar place.

3.More job-loss ahead, raise govt spending

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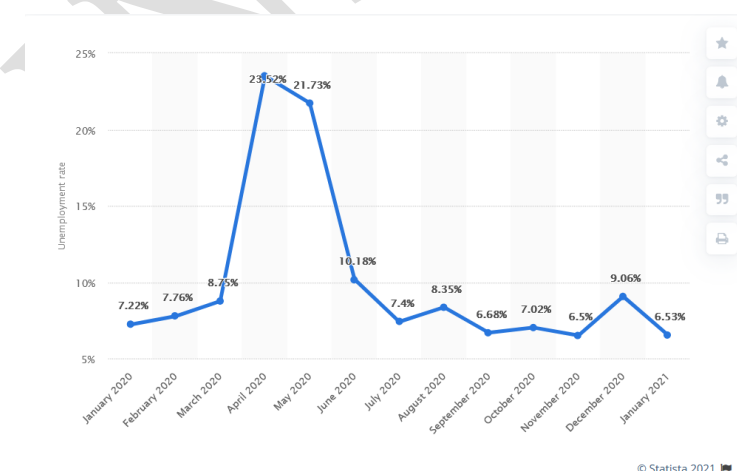
Introduction: Situation of unemployment in India:

1. The biggest casualty of the pandemic and the <u>painstakingly slow vaccination rollout will be joblessness.</u>

2. The **country's unemployment rate** has risen through much of April, having hit 7.4%, and threatens to climb further to around 8% significantly higher than the 6.5% in March, according to CMIE.

3. Approximately <u>10 million salaried jobs have been lost</u>, across urban and rural India, and one is not sure <u>how many people will get back their livelihoods.</u>

4. And demand for MGNREGA work is already outstripping supply; data for April shows 2.6 crore households and 3.7 persons were looking for work, higher by 91% and 85%, respectively, over April 2020.

That these are the highest levels seen in seven years indicates how bad things are.

India's Jobless Growth Hurdle:

1. Five months into the lockdown, India has witnessed a sharp decline in the number of jobs in the formal sector <u>the largest source of salaried employment in the country.</u>

2. Even after unlocking the economy, there has been <u>no improvement in the salaried jobs space.</u>

3. <u>The government has cited the unprecedented economic crisis behind the job situation in the country.</u>

4. However, the coronavirus pandemic may not be the only reason why salaried jobs one of the most secure forms of employment are losing prominence in India.

5. Unemployment in the country had been a problem since 2017-18.

6. A government job survey, whose publication was delayed just ahead of 2019 Lok Sabha election, showed how the <u>country's unemployment reached a four-decade high of 6.1 per cent in 2017-18.</u>

COVID-19 impact on unemployment rate in India 2020-2021:

1. In January 2021, India saw an unemployment rate of over six percent. This was a significant improvement from the previous month.

2. A damaging impact on an economy as large as India's caused due a total lockdown was imminent. Unemployment went up to nearly 24 percent in April 2020.

3. This was possibly a result of a decrease in demand as well as the disruption of workforce faced by companies.

4. <u>Furthermore, this caused a GVA loss of more than nine percent for the Indian economy that month.</u>

The trickle-down effect:

1. Between February and April 2020, the share of households that experienced a fall in income shot up to nearly 46 percent.

2. Inflation rates on goods and services including food products and fuel were expected to rise later this year.

3. **Social distancing** resulted in the job losses, specifically those Indian society's lower economic strata. Several households terminated domestic help services – essentially an unorganized monthly-paying job.

4. Most Indians spent a large amount of time engaging in household chores themselves, making it the <u>most widely practiced lockdown activity.</u>

Aid from the Pradhan Mantri Garib Kalyan Yojana:

1. The most devastating impact of the virus and the lockdown had been on the economically backward classes, with **limited access to proper healthcare and other resources.**

2. This resulted the government has launched various programs and campaigns to help sustain these households.

3. Under the **Pradhan Mantri Garib Kalyan Yojana**, 312 billion Indian rupees were accrued and provided to around 331 million beneficiaries that included women, construction workers, farmers, and senior citizens.

4. More aid was announced in mid-May, to mainly support small businesses through the crisis.

5. According to **labour ministry data**, around 16.5 lakh people have benefited from the **Aatmanirbhar Bharat Rozgar Yojana (ABRY)** which was launched in October to encourage hiring in the country amid the COVID-19 pandemic till March 9, 2021.

6. The scheme was introduced on October 1, 2020, **to incentivise the creation of new employment** along **with social security benefits** and restoration of loss of employment during the pandemic.

7. This scheme, being implemented through the **Employees Provident Fund Organisation (EPFO)**, reduces the financial burden of the employers of various sectors/ industries and encourages them to hire more workers.

8. Under the ABRY, Government of India is **crediting for a period of two years** both the employees' share (12 per cent of wages) and employers' share (12 per cent of wages) of contribution payable.

Way Ahead:

There is now a real danger of **structural damage to the economy** with the weaker sections, across industry, enterprise and households, becoming even weaker.

This would hold true for the **vulnerable sections** of the population in both urban and rural India, with the situation probably worse for the urban poor.

The government needs to address this distress with a **new package of relief measures**.

1. Following the outbreak of the pandemic and the consequent lockdown in March 2020, the government had rolled out a series of measures; it upped the allocations for MGNREGA, distributed free food-grains and also transferred cash.

2. In the absence of meaningful relief measures, the situation could deteriorate.

3. While there are expectations that normalcy would be restored in a month or two, there is no clear visibility.

4. One reason for this is the complete lack of clarity on the pace at which the vaccination drive will progress.

5. As of now, it appears just about 50% of the population would be inoculated by December this year.

6. While there is every possibility of the **key affected sectors** hospitality, retail, restaurants, aviation getting back on track by September or so, the fact is many of the smaller enterprises and units have been debilitated over the past year.

7. It is possible many of the **smaller businesses can't be revived**, which, in turn, means the **loss of livelihoods.**

8. Interest rates might be at their lowest levels in decades, but most of these units will be unable to access formal credit because banks are turning even more risk-averse.

9. In June 2020, **CRISIL had observed that MSMEs were facing an existential crisis** and suggested lenders use new credit assessment paradigms;

10. The ratings agency had pointed out that their finances could slip badly and they would struggle to manage working capital challenges.

11. Given these small and micro units collectively employ in large numbers, the government needs to follow up its **earlier credit guarantee scheme with another one to help them.**

Conclusion:

In 2020, although the economy was in a very poor state following the deleterious effects of demonetisation, the rural economy was faring reasonably well on the back of two good monsoons.

However, after a year of distress, and with some part of the workforce still not having returned to their work places, rural incomes are expected to be under pressure.

Economists say they are already seeing **signs of sluggishness in rural consumption**.

The Reserve Bank of India (RBI) has done much of the heavy lifting, it is now the turn of the government to step up spending.

The economy needs a **punchy fiscal stimulus,** a big booster dose, **targeted at the small and unorganised sectors.**

4.India's road to clean energy goes via natural gas

Natural Gas in the Energy Transition

	Gas less competitive	Gas more competitive
High climate benefits (i.e., ideal for gas to grow market share or defend it)	Gas can help advance decarbonization but is struggling to compete for market share. Examples: Coal-to-gas switching in India and SE Asia; gas in heavy-duty transport (trucks); gas in industry and electricity in sub-Saharan Africa.	Gas can help advance decarbonization, plus gas is in a competitive position to defend or expand market share. Examples: Coal-to-gas switching in electricity and industry; oil-to-gas switching in electricity (e.g., Middle East); marine transport).
Low climate benefits (i.e., best to not use or gradually phase out gas)	Gas can play a smaller role in decarbonization, plus it is struggling to compete for market share. Examples: In buildings (where not already used); in electricity systems with low-carbon alternatives; in passenger cars (as electric vehicles scale up).	Gas can play a smaller role in decarbonization but is in a competitive position to defend or expand market share. Examples: In electricity systems with low-carbon alternatives; in buildings (if gas is used now); in industry (until alternatives scale up).

Introduction:

Policy wonks, climate negotiators, academicians, corporates and NGOs are currently fixated on the **concept of "net zero carbon emissions"** and the appropriate target year for achieving it.

Supported by economic analysis and moral logic and drawing on the concept of **"common but differentiated responsibility",** their arguments swirl around its meaning and whether the date should be 2050, 2060, sooner, or not at all.

I am personally supportive of the nature and direction of this debate. The world does need a well-defined, timebound objective.

"Net Zero" offers everyone a tangible metric against which to measure progress.

India's natural gas consumption:

1. India's natural gas consumption is small but increasing. Most gas is used in the industrial sector and in power generation.

2. Residential gas consumption is small, but India is expanding its gas distribution networks rapidly, an area where major growth is expected.
    Some states and cities also **promote gas vehicles to reduce emissions from the transport sector.**

3. **Domestic production covers just over half of India's gas supply**. The rest is imported in the form of liquefied natural gas (LNG), which has increased rapidly in recent years, thanks to the decline in global gas prices. Investment in new LNG terminals is on a rapid rise.

4. Since domestic gas production has developed below expectations, gas use for power generation struggles to compete with cheap coal and renewables under the current contracted import prices.

5. To stimulate more domestic production of oil and gas, the Government of India (GoI) has **introduced a Hydrocarbon Exploration and Licensing Policy (HELP)**, which brought freedom of price setting and marketing for new gas production.

Security of gas supply:

India's growing dependence on imported natural gas, reaching 43% of the total gas supply in 2016 compared to 29% in 2006, requires more attention from policy makers to assure the security of gas supply.

Key factors that constitute natural gas security for India are:

1. the pace of development of domestic production

2. the diversity of the gas and LNG import portfolio

3. pipeline import options

4. the availability of seasonal storage

5. the availability of additional LNG volumes.

India must first "green" its fossil fuel energy basket. This can be done by increasing the share of natural gas.

This is a feasible prospect because this increase will not generate the headwinds that the alternative of shutting down coal mines might;

It will not require industries to invest heavily in retrofitting their systems; and it will allow the government to meet its **objective of providing secure and affordable energy** to everyone without degrading the environment.

Four key policy suggestions:

First, **the authorities must prioritise natural gas**:

1. They must recognise its versatility. It is a competitive fuel;

2. It is abundantly available in and within the Asian/ME subcontinent;

3. It has multiple uses and it is the "greenest" of all fossil fuels.

Second, **the authorities must correct the current disincentivising policy distortions:**

1. The pricing of natural gas is, for instance, a potpourri of complexity. There are **multiple price formulae.**

2. One for gas produced from domestic fields by the public sector companies; one for gas produced by private companies; one for production from deep waters offshore under high temperature etc.

3. The taxation system is also **comparably regressive**. It is a cascading structure so that the tax rates increase as the gas flows from one zone to another.

4. This means that customers located at a distance from the source of gas pay a higher price than those closer to the source.

5. The result is the dampening of demand. Also, gas is not under GST.

Third, the authorities should revamp the structure of the industry:

1. The Gas Authority of India Ltd (GAIL) is currently engaged in the production, transportation and marketing of gas.

2. This allows GAIL to leverage its ownership of the bulk of the gas pipelines to deny its competitors access to the market. The policy calls for assured and common access to all marketers but GAIL can bend the policy to its advantage without breaching it.

3. Most countries have tackled this conflict-of-interest situation by separating the upstream (production/import) and downstream (marketing) interests from transportation.

4. GAIL should also be so "unbundled". Its business activities should be limited to pipeline construction and transportation.

Finally, the **institutional mechanism** should be **created** to enable better coordination between the central and state governments.

1. One reason why India has not yet constructed a **national pipeline grid** is because the Centre and state have clashed over issues like land acquisition, pipeline routing; and royalty payments.

2. **Centre-state differences** have also delayed the construction of import facilities and the creation of gas markets.

3. A way has to be found to take these issues off the political table and brought **within the frame of an integrated decision-making process.**

Conclusion:

India aims to increase the share of natural gas to 15% of the energy mix by 2030 which suggests a doubling of current demand and infrastructure needs, as part of a gas trading hub.

This will require the availability of transport capacity across India, which will enable all market players to access LNG supplies.
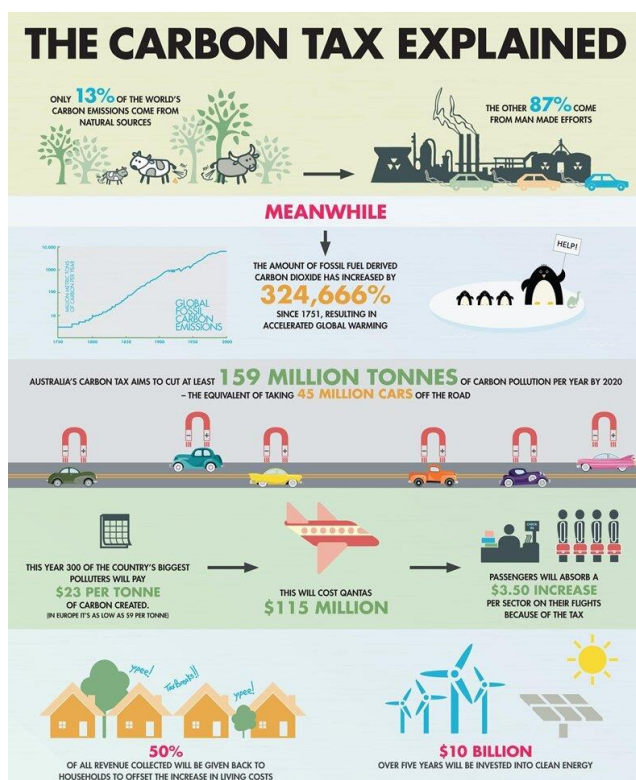
Overall, the policy of increasing the role of gas is commendable, as it results in health benefits (when substituting for traditional biomass for cooking) and decreased greenhouse gas emissions (when substituting for coal in power generation).

As the share of natural gas is on the rise, it is advisable to embark on developing a gas security policy based on a **well-functioning domestic gas market and robust gas infrastructure.**

The GoI should therefore promote the **development of a functioning gas market** that can allow supply to meet demand.

This includes market-based price discovery, robust gas infrastructure, an independent regulator, third-party access to infrastructure, and competition among multiple buyers and sellers.

5. The many benefits of an eco tax

THE CARBON TAX EXPLAINED

ONLY **13%** OF THE WORLD'S CARBON EMISSIONS COME FROM NATURAL SOURCES

THE OTHER **87%** COME FROM MAN MADE EFFORTS

MEANWHILE

THE AMOUNT OF FOSSIL FUEL DERIVED CARBON DIOXIDE HAS INCREASED BY **324,666%** SINCE 1751, RESULTING IN ACCELERATED GLOBAL WARMING

GLOBAL FOSSIL CARBON EMISSIONS

HELP!

AUSTRALIA'S CARBON TAX AIMS TO CUT AT LEAST **159 MILLION TONNES** OF CARBON POLLUTION PER YEAR BY 2020 – THE EQUIVALENT OF TAKING **45 MILLION CARS** OFF THE ROAD

THIS YEAR 300 OF THE COUNTRY'S BIGGEST POLLUTERS WILL PAY **$23 PER TONNE** OF CARBON CREATED. (IN EUROPE IT'S AS LOW AS $9 PER TONNE)

THIS WILL COST QANTAS **$115 MILLION**

PASSENGERS WILL ABSORB A **$3.50 INCREASE** PER SECTOR ON THEIR FLIGHTS BECAUSE OF THE TAX

50% OF ALL REVENUE COLLECTED WILL BE GIVEN BACK TO HOUSEHOLDS TO OFFSET THE INCREASE IN LIVING COSTS

$10 BILLION OVER FIVE YEARS WILL BE INVESTED INTO CLEAN ENERGY

Context:

The Indian government announced a **pandemic-related stimulus package** in FY 2020-21 though there was large decline in tax revenue.

The **fiscal deficit** for FY 2020-21 (revised estimates) is projected to be 9.5% of the GDP; for 2021-22, it is pegged at 6.8%.

The focus is on **maintaining fiscal discipline**. In this peculiar scenario, **sustained health financing in India** remains a challenge.

Where Indian households spend on health?

The Union health ministry reveals that <u>medicines are the biggest financial burden on Indian households</u>.

Of more than three lakh crore rupees that households spent on health in 2018-19, around 63 per cent of the total out-of-pocket spending (OOP) went in buying medicines.

In private hospitals, households spent around 28 per cent of the OOP spending. Much of this problem of debt can be solved if medicines are made available to people at affordable prices.

The **National Health Policy 2017** also highlighted the <u>need for providing free medicines in public health facilities by stepping up funding and improving drug procurement and supply chain mechanisms.</u>

Household spending on health:

1. The **World Health Organization (WHO)** provides data on the percentage of the total population where the <u>household expenditure on health **was greater than 10% and 25%** of the total household expenditure or income in India in 2011</u>.

2. This provides a clear picture of the **status of spending on health by the rural and urban populations.**

3. As far as health expenditure above 10% is concerned, <u>17.33% of the population in India made out-of-pocket payments on health.</u> The percentage was higher in rural areas compared to urban areas.

4. Globally, the average was 12.67%, which means that 12.67% of the population spent more than 10% of their income (out of their pocket) on health. In Southeast Asia, 16% spent more than 10% of their household income on health.

5. The Western Pacific region came second in the list of regions that saw a rate higher than the global average.

6. <u>Similarly, 3.9% of the population in India made more than 25% of out-of-pocket payments on health, with 4.34% in the rural areas.</u>

Fixing the eco rax rate:

India currently focuses majorly on the **command-and-control approach** in tackling pollution.

The success of an eco tax in India would depend on its architecture, that is, how well it is planned and designed.

It should be **credible, transparent and predictable**. Ideally, the eco tax rate ought to be **equal to the marginal social cost** arising from the **negative externalities** associated with the production, consumption or disposal of goods and services.

This requires an **evaluation of the damage to the environment based on scientific assessments.**

Environment regulation, in turn, may take several forms: command and control; economic planning/urban planning; environmental tax (eco tax)/subsidies; and cap and trade.

This would include the adverse impacts on the health of people, climate change, etc.

Environmental tax reforms generally involve **three complementary activities**:

    (a) eliminating existing subsidies and taxes that have a harmful impact on the environment;

    (b) restructuring existing taxes in an environmentally supportive manner; and

    (c) initiating new environmental taxes.

Taxes can be designed either as **revenue neutral or revenue augmenting**.

In case of revenue augmenting, the additional revenue can either be targeted towards the provision of environmental public goods or directed towards the overall revenue pool.

In developing countries like India, the revenue can be used to a greater extent for the provision of environmental public goods and addressing environmental health issues.

In India, eco taxes can target three main areas:

1. One, differential taxation on vehicles in the transport sector purely oriented towards **fuel efficiency and GPS-based congestion charges**;

2. Two, in the energy sector by taxing fuels which feed into **energy generation**; and

3. Three, waste generation and use of natural resources. Tax revenues can be generated through eco taxes.

There is also a **need to integrate environmental taxes in the Goods and Service Tax framework** as highlighted by the Madras School of Economics in its studies.

Negligible impact on the GDP:

The implementation of an environmental tax in India will have **three broad benefits: fiscal, environmental and poverty reduction**.

1. Environmental tax reforms can mo**bilise revenues to finance basic public services** when raising revenue through other sources proves to be difficult or burdensome.

2. Revenue from environmental tax reforms can also be used **to reduce other distorting taxes such as fiscal dividend.**

3. Environmental tax reforms help **internalise the externalities**, and the said revenue can finance research and the development of new technologies.

4. Environmental regulations may have significant costs on the private sector in the form of slow productivity growth and high cost of compliance, resulting in the possible increase in the prices of goods and services.

5. However, the European experience shows that most of the taxes also **generate substantial revenue** and there is no evidence on **green taxes** with sustainable development goals leading to a 'no growth' economy.

6. Most countries experiences suggest negligible impact on the GDP, though such revenues have not necessarily been used for environmental considerations.

Thus, the negligible impact on the GDP may be a temporary phenomenon.

Conclusion:

The **Economic Survey of India 2019-20** has outlined the fact that an increase in public spending **from 1% to 2.5-3% of GDP**, as envisaged in the National Health Policy of 2017, can **decrease out-of-pocket expenditure from 65% to 30% of overall healthcare expenses**.

This is where the importance of **alternate sources of health financing** in India needs to be stressed.

The COVID-19 pandemic has also forced countries all over the world to **rethink climate change and the need for preservation of the environment.**

Fiscal reforms for managing the environment are important, and India has great potential for revenue generation in this aspect.

The eco tax rate may, thus, be fixed commensurate to the marginal social cost so evaluated.

Hence, this is the right time for India **to adopt environmental fiscal reforms** as they will **reduce environmental pollution** and also **generate resources for financing the health sector.**

6.What is mucormycosis or 'black fungus' in Covid-19 patients

What is mucormycosis | It is an aggressive and invasive fungal infection that can affect various vital organs such as the brain and cause internal damage to the ear, nose, throat, and mouth. It is not contagious but can be fatal if not detected early

Prevalence: The Center for Disease Control and Prevention, U.S., calls it a serious but rare disease. A computational model by Arunaloke Chakrabarti et al. estimated a prevalence of 0.14 cases per 1,000 individuals in India

Underlying cause: Diabetes mellitus is the most common underlying cause. According to doctors, "an indiscriminate use of a high dose of steroids in patients" could trigger the disease post-COVID-19 infection

Cure: The main line of treatment is an anti-fungal drug called Amphotericin B, which is given over an extended period of time under strict observation. Surgery might also be warranted

Context:

The Union government has asked the States to declare **mucormycosis**, the **fungal infection** being reported in COVID-19 patients, an epidemic.

In a letter to the States, Health and Family Welfare Ministry said declaring the black fungus infection seen in COVID-19 patients an epidemic would lead to health facilities screening for it and reporting all such cases to the government.

About Mucormycosis:

1. Mucormycosis is a rare but serious infection that is caused by a group of moulds called mucormycetes. Colloquially termed **'Black Fungus'**, it was previously known as **zygomycosis.**

2. Mucormycosis largely affects people who have health problems or use medicines that depress the body's ability to combat germs and illness.

3. It reduces the ability to fight environmental pathogens.

4. It most commonly afflicts the sinuses or the lungs after inhaling fungal spores from the air.

5. It can also happen on the skin after a burn, cut or other type of skin wound through which the fungus enters the skin. It can also affect the brain.

6. People having co-morbities, variconazole therapy, uncontrolled diabetes mellitus, immunosuppression by steroids or prolonged ICU stay can get predisposed to the fungal infection.

7. Warning signs include headache, fever, coughing, blood vomits, breathlessness and altered mental status.

Types of Mucormycosis:

1. **Rhinocerebral (Sinus and Brain) Mucormycosis**: It is an infection in the sinuses that can spread to the brain.

    a. It is the most common in people with uncontrolled diabetes and in people who have had a kidney transplant.

2. **Pulmonary (Lung) Mucormycosis:** It is the most common type of mucormycosis in people with cancer and in people who have had an organ transplant or a stem cell transplant.

3. **Gastrointestinal Mucormycosis:** It is more common among young children than adults, especially premature and low birth weight infants less than 1 month of age, who have had antibiotics, surgery, or medications that lower the body's ability to fight germs and sickness.

4. **Cutaneous (Skin) Mucormycosis:** It occurs after the fungi enter the body through a break in the skin (for example, after surgery, a burn, or other types of skin trauma).

    a. It is most common among people who do not have weakened immune systems.

5. **Disseminated Mucormycosis:** It occurs when the infection spreads through the bloodstream to affect another part of the body.

    a. The infection most commonly affects the brain, but also can affect other organs such as the spleen, heart, and skin.

Spread of Mucormycosis:

1. People can spread black fungus on coming in contact with the spores from the environment.

2. In case of the lung or sinus infection the person can be infected after inhaling the spores from the air.

3. A skin infection can occur after the fungus enters the skin through a scrape, burn, or other type of skin injury.

4. They are more common in soil than in air, and in summer and fall than in winter or spring.

5. These fungi are not harmful to most people but for people who have weakened immune systems, breathing in micromycetes spores can cause an infection.

Symptoms:

1. These include pain and redness around eyes and/or nose, fever, headache, coughing, shortness of breath, bloody vomits, and altered mental status.

2. Warning signs can include toothache, loosening of teeth, blurred or double vision with pain.

3. Disseminated mucormycosis typically occurs in people who are already sick from other medical conditions, so it can be difficult to know which symptoms are related to mucormycosis.

4. Patients with disseminated infection in the brain can develop mental status changes or coma.

Where are these fungi found?

Mucormycosis is caused by a group of molds called mucormycetes. It is naturally found in air, water and even food.

It enters the body through fungal spores from the air or can also occur on skin after a cut, burn, or skin injury.

Mucormycosis affecting COVID-19 patients:

Patients who have **high levels of diabetes** are at a higher risk of contracting covid-19. When this occurs, they are **treated with steroids** which compromises their immunity.

According to doctors, steroids can prove to be a **trigger for mucormycosis**. While steroids help in reducing inflammation in lungs they can decrease immunity and increase blood sugar levels in both diabetics and non-diabetic covid-19 patients alike.

The black fungus disease is an additional burden on the country that is already grappling with more cases and fatalities due to the second wave of the covid-19 pandemic.

Why and how it affects Covid-19 patients during or post-recovery?

Medicines used in treating Covid-19 tend to bring down the count of lymphocytes.

Lymphocytes are one of the three types of white blood cells whose job is to defend our body against disease-causing pathogens such as bacteria, viruses, and parasites.

The **reduced count of lymphocytes leads to a medical condition called lymphopenia**, making way for opportunistic fungal infection in Covid-19 patients.

There is a higher chance of occurrence of mucormycosis in patients whose **immune system is not functioning well**, and since Covid-19 treatment tends to suppress the working of the immune system, it places such patients at a higher risk of contracting the black fungus infection.

Basic Preventive measures to be followed:

1. Cleaning and replacement of humidifiers (for those using Oxygen Concentrators)

2. Sterile normal saline should be used in the humidifier bottle and changed daily

3. Masks should be disinfected daily

Way Ahead: Preventive measures to be taken by Covid-19 patients:

People with the following medical conditions should be more careful, they should constantly monitor their health and also take the following preventive measures.

Diabetic Patient (uncontrolled diabetes) + Steroid usage + COVID Positive – all three combined together place one under high risk of getting this infection.

Those who are taking steroids should also keep checking their blood sugar levels. In most cases, one who is not diabetic finds that after taking steroids, the blood sugar level shoots up to 300 to 400. Hence, it is essential to continuously monitor one's sugar level.

Hence diabetic patients should always monitor and control their blood sugar level.

7.Identifying mutants

INSACOG Assessment of Covid-19 Variants in India

3,500 samples studied	1,877 found to be of the UK variant	1,527 of the Indian variant	127 of the South African variant
Brazilian variant not of concern as only 1 sample tests for it	The UK variant on decline while Indian variant on the rise	All 3 variants more at play in Delhi and Telangana	The UK variant predominant in Punjab, Delhi, Telangana

Indian variant strong in Maharashtra, rising in Karnataka, Delhi, West Bengal and Gujarat; also seen surging in Chhattisgarh, Jharkhand and Odisha

Context:

In early March, members of the **Indian SARS-CoV-2 Genomic Consortia (INSACOG),** an advisory group to the Central government, warned of a new and contagious form of the novel coronavirus.

Last week, Shahid Jameel, eminent virologist and **head of INSACOG**, resigned from his post unexpectedly.

Though he did not cite the reasons for his exit, Dr. Jameel has been a critic of aspects of the government's handling of the COVID-19 pandemic, particularly on **data sharing,** the **emergence of new variants** and their **role in the second wave of infections.**

What is INSACOG?

INSACOG is a consortium of 10 labs across the country tasked with scanning COVID-19 samples from swathes of patients and flagging the presence of variants that were known to have spiked transmission internationally.

1. It has also been tasked with checking whether certain **combinations of mutations** were becoming more widespread in India.

2. Some of these labs had begun scanning for mutations in April 2020 itself, but it was not a pan-India effort.

3. The institutes involved were those with expertise in genome sequencing and included laboratories of the Department of Biotechnology, the Council of Scientific and Industrial Research (CSIR), the Indian Council of Medical Research (ICMR) and the Ministry of Health & Family Welfare (MoHFW).

4. The National Centre for Disease Control (NCDC) under the MoHFW was tasked with coordinating collection of samples from the States as well correlating disease with the mutations.

5. The work began in January by sequencing samples of people who had a history of travel from the United Kingdom and a proportion of positive samples in the community.

What are the challenges being faced by INSACOG?

Given that the novel coronavirus is **spreading, mutating and showing geographical variations**, the aim of the group was to sequence **at least 5%** of the samples.

1. For many reasons, this has so far been only around 1%, primarily due to a shortage of funds and insufficient reagents and tools necessary to scale up the process.

2. While some of these issues can be explained as teething troubles, the INSACOG, in spite of being peopled by expert scientists, is ultimately an advisory group to the Central government and part of its communication structure.

3. Warnings about emerging variants were not made public with sufficient urgency and the sharing of datasets, even within constituent groups of the INSACOG, was less than ideal.

What are the findings?

Recent note from the Department of Biotechnology (DBT) said 20,000 samples had been sequenced and about 3,900 variants had been identified.

The **"foreign" variants** identified were primarily the **B.1.1.7** (first identified in the United Kingdom) and the **B.1.351** (first found in South Africa) and a small number of **P2 variants** (from Brazil).

However, some labs flagged the growing presence of variants identified in India that were clubbed into a family of inter-related variants called **B.1.617,** also known as the '**double mutant' variant**, primarily due to two mutations— E484Q and L452R — on the spike protein.

These have been individually identified elsewhere but not together.

Mutant virus will increase infectivity:

1. There are many more mutations that contribute in different measures, in ways not fully understood, to the virus being able to adapt to human hosts.

2. The B.1.617 family was marked as an international 'variant of concern' after it was linked to a recent spike in cases in the United Kingdom.

3. In March, it was linked to a spurt in cases in Maharashtra. But there is no evidence yet to show that the variant is associated with increased disease severity.

4. INSACOG labs also found that the B.1.1.7 variant, which is **marked by increased infectivity,** is distinctly more prevalent in several northern and central Indian States in comparison to southern States.

Are some mutations more important?

Yes. Scientists pay most attention to mutations in the gene that encodes the SARS-CoV-2 spike protein, which plays a key role in viral entry into cells.

Targeted by vaccines, this protein influences immunity and vaccine efficacy. The B.1.1.7, 501Y.V2, P.1 and B.1.617 variants all carry multiple mutations affecting the spike protein.

That raises questions about whether people who have **developed antibodies to the "regular" strain** will be able to fight off the new variants.

Beyond identifying patterns, why is genome sequencing useful?

1. The **purpose of genome sequencing** is to understand the **role of certain mutations in increasing the virus's infectivity**.

2. Some mutations have also been linked to immune escape, or the virus's ability to evade antibodies, and this has consequences for vaccines.

3. Labs across the world, including many in India, have been studying if the vaccines developed so far are effective against such mutant strains of the virus.

4. They do this by extracting the virus from COVID-19-positive samples and growing enough of it.

5. Then, blood serum from people who are vaccinated, and thereby have antibodies, is drawn.

Way Ahead: India's genome project on low gear:

1. Sequencing of the genomes of viral strains is important from a '**know-thy-enemy' point of view**.

2. A genome is the **complete set of genetic instructions** that is present in an organism, in the form of its DNA.

3. Sequencing refers to knowing the **exact sequence of occurrence of the four nucleotide bases—A, C, G and T**, which are the first letters of the names of four bio-molecules.

4. Since each mutation is caused by a change in the genome sequence, knowing the **sequences helps keep track of the mutations.**

5. In other words, genome sequencing can provide information on mutations or genetic variants that cause the disease or can increase the risk of disease in a person.

6. The effort of genome sequencing was happening in a sporadic and un-coordinated way and it was not until the first report of a UK 'variant of concern' was published in December that the government sat up.

7. The government immediately initiated the network of large-scale sequencing of viral genome.

Conclusion:

The poor progress in genome sequencing also affects India's image abroad, as all countries are required to upload data into a common global repository, called the **'Global Initiative on Sharing all Influenza data', or GISAID.**

This is to alert the world about new mutants. The world is watching apprehensively at India's massive sweep of the second wave and would be expecting India to **capture variants and put the data into the common database.**

There were fewer antibodies produced against the South African, Brazil and the 'double mutant' variant.

Antibody levels are not the only markers of protection and there is a parallel network of cellular immunity that plays a critical role in how vaccines activate immunity.

The current evidence for most COVID-19 vaccines is that they have **almost 75% to 90% efficacy in protecting against disease** but less so in preventing re-infection and transmission.

8.New approach to drug delivery combines biologics and antibody-drug conjugates
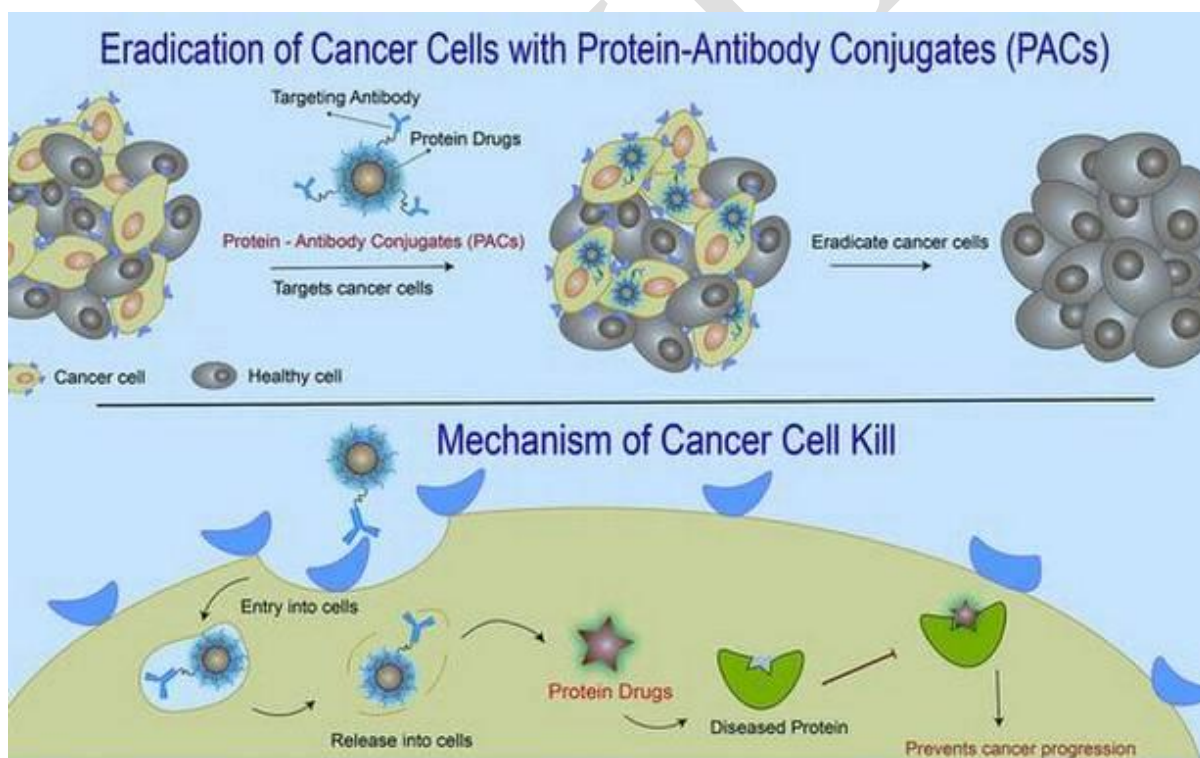
Context:

A type of nanoparticle designed by researchers from University of Massachusetts, Amherst, in the U.S., embodies a **new approach to treating diseases** that could **potentially revolutionise the field**.

This **combines concepts of biologics and antibody–drug conjugates** to produce **protein–antibody conjugates** that can be used for targeted drug delivery in the case of pancreatic cancer cells, for example.

The team has tested the mechanism in cell lines in the lab and now plans to move on to studying it in mouse models.

Biologics and antibody-drug conjugates:

1. A biologic drug (biologics) is a product that is produced from living organisms or contain components of living organisms. Biologic drugs include a wide variety of products derived from human, animal, or microorganisms by using biotechnology.

2. Biologics can be composed of sugars, proteins, or nucleic acids or complex combinations of these substances.

3. Biologics are used to **target a defective protein** in the system by delivering proteins to it.

   a. Example: If a person is short of insulin, which is a protein, they are given a shot of this to balance the system. This is referred to as insulin treatment.

4. Despite the usefulness of biologics, one drawback of this method is the inability of this method in taking protein specifically inside the affected cells. This mode of protein delivery to cells can be a breakthrough in medical field.

Antibody conjugates:

1. The other concept is of **using antibodies for drug delivery**.

2. Antibodies are something the body produces **to detect a foreign substance inside the body.**

3. We can **develop antibodies** to recognise anything that does **not belong in our bodies.**

4. That includes cancer cells as well. If there is something different on the surface of a cancer cell compared to a healthy cell, you can design the antibody that selectively goes to the cancer cell.

5. Drug molecules can be attached to the antibody, **forming drug–antibody conjugates.**

Monoclonal Antibodies:

1. Antibodies are proteins produced naturally by the immune system that target a specific foreign object (antigen).

2. They are called monoclonal Antibodies (mAbs) when they are <u>produced by clones derived from a single parent cell.</u>

3. They are man-made proteins that act like a human antibody in the immune system. They are made by cloning a unique white blood cell.

4. mAbs have monovalent affinity, it binds only to the same epitope i.e. the part of an antigen that is recognized by the antibody.

5. They are designed to perform many roles, like they can be used to carry drugs, toxins, or radioactive substances directly to affected cells.

6. mAbs are used to treat many diseases, including some types of cancer.

<u>Two approaches to drug delivery:</u>

1. The **new concept**, namely, **<u>Protein–Antibody Conjugates or PACs</u>**, combines two different approaches to drug delivery.

2. One is biologics, where the idea is to **target a defective protein in the system by delivering proteins to it.** An example of this is the **case of insulin treatment**.

3. If a person is short of insulin, which is a protein, <u>they are given a shot of this protein which balances the system.</u>

4. The reason this works is because **we need a circulation of insulin outside the cells and not inside the cells.**

5. Now, we have 20,000 proteins and when one of these is malfunctioning, we have no way of taking that protein specifically inside the cell. That is a big problem in biologics.

<u>Undruggable cases: Pancreatic cancer is an example</u>:

1. There are types that are considered undruggable. In 90% of pancreatic cancers, this is the case.

2. We know what we should target but we do not know how to design drugs that will bind. But with proteins we know we can design molecules that will bind to the target.

3. In a telling analogy, he compares the <u>protein–antibody conjugate to an addressed envelope containing the drug.</u>

4. The antibody plays the role of the address and indicates the cell where the **drug should precisely be delivered.**

5. The group also realises that **biology involves complexity** and that this method may well fail if it is not tuneable.

6. The researchers are planning to test this concept in mouse models as the next step.

Conclusion:

Prof Thayumanavan's group developed protein–antibody conjugates or PACs, which have a protein attached to the antibody, and this conjugate can zero in on say, pancreatic cancer cells.

This could have an **impact on incurable diseases**. Most drugs work this way: If the protein has a particular shape bent concave like a cup for example, the drug is designed to fit into the bent portion, like a key into a lock, so that the protein's function is inhibited, and it cannot function.

But some of the proteins have an open structure, it is difficult to design a drug that can bind to it, because it is so wide.

However, using a protein molecule, which is typically large, can solve this problem.

It will be a **gamechanger** if we can take the **protein inside the cell**. So, people have been **looking at protein delivery for a while.**

9.A 'One Health' approach that targets people, animals
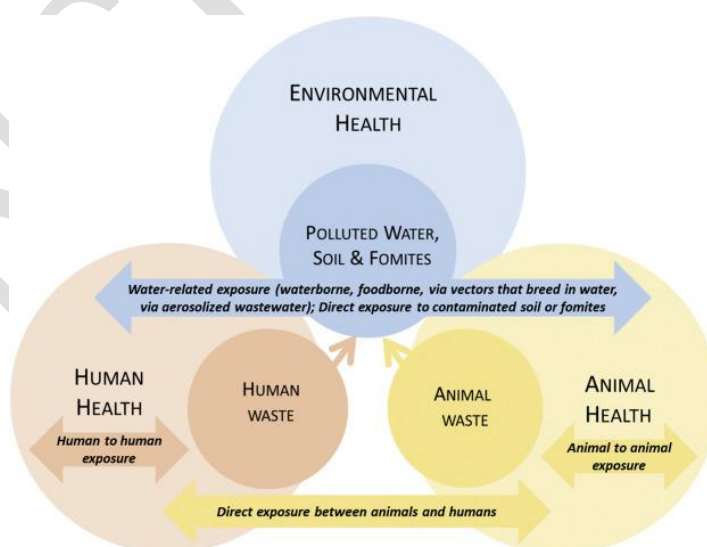
Introduction:

The **father of modern pathology**, Rudolf Virchow, emphasised in 1856 that there are **essentially no dividing lines between animal and human medicine.**

This concept is ever more salient as the world continues to grapple with the COVID-19 pandemic.

Discussions that took place around World Veterinary Day, on April 24, 2021, focused on acknowledging the **interconnectedness of animals, humans, and the environment, an approach referred to as "One Health".**

One Health Approach:

One Health recognizes that the **health of humans, animals and ecosystems are interconnected.**

One Health was initiated as a concept, was upgraded to an approach and is recently being considered as a movement.

It involves application of a coordinated, collaborative, multi-disciplinary and cross-sectoral approach to address potential or existing risks that originate at the **animal-human-ecosystems interface.**

It also encourages **synergistic collaboration** to achieve common public health goals.

Therefore, exploring collaboration in One Health (including system resilience) is vital prior to implementing a countrywide One Health Collaboration (OHC) policies and strategies.

Across the species barrier viral outbreaks:

1. Studies indicate that more than two-thirds of existing and emerging infectious diseases are zoonotic, or can be transferred between animals and humans, and vice versa, when the pathogen in question originates in any life form but circumvents the species barrier.

2. Another category of diseases, **"anthropozoonotic" infections,** gets transferred from humans to animals.

3. The **transboundary impact of viral outbreaks** in recent years such as the Nipah virus, Ebola, Severe Acute Respiratory Syndrome (SARS), Middle East Respiratory Syndrome (MERS) and Avian Influenza has further reinforced the need for us to consistently document the **linkages between the environment, animals, and human health.**

India's framework, plans:

1. **India's 'One Health' vision** derives its blueprint from the agreement between the **tripartite-plus alliance** comprising the Food and Agriculture Organization of the United Nations (FAO),

the World Organisation for Animal Health (OIE), the World Health Organization (WHO) and the United Nations Environment Programme (UNEP), a global initiative supported by the United Nations Children's Fund (UNICEF) and the World Bank under the **overarching goal of contributing to 'One World, One Health'.**

2. In keeping with the long-term objectives, India established a **National Standing Committee on Zoonoses** as far back as the 1980s.

3. In the revised component of assistance to States/Union Territories, there is increased focus on vaccination against livestock diseases and backyard poultry.

4. To this end, assistance will be extended to State biological production units and disease diagnostic laboratories.

5. **WHO estimates that rabies (also a zoonotic disease) costs the global economy approximately $6 billion annually.**

6. Considering that **97% of human rabies cases in India are attributed to dogs**, interventions for disease management in dogs are considered crucial.

7. DAHD has partnered with the Ministry of Health and Family Welfare in the National Action Plan for Eliminating Dog Mediated Rabies.

8. This initiative is geared towards sustained mass dog vaccinations and public education to render the country free of rabies.

Action plan in Health sector:

Multi-sectoral action in health has been categorised into four broad types:

1. One, where the health sector is a minimal actor (e.g. ensuring children attend school);

2. Two, where the health sector has a supporting role (e.g. in cross-sectoral policies to address health disparities);

3. Three, where the health sector is a bilateral or trilateral partner to produce joint or "co-benefits" and maximise health benefits (e.g. tobacco taxation to improve both health and revenues); and

4. Four, where the health sector takes the lead where collaboration is essential for it to deliver its core mandate (for example, ensuring adequate water and energy supplies to health facilities).

There are already several cross-cutting efforts operating in India to develop protocols for a database of research into zoonotic diseases.

But to date, there is **no single agency or framework** that embraces all interdisciplinary sectorial players under a single umbrella to carry forward the 'One Health' agenda even in this difficult time.

Inarguably, the National Expert Group has a tough mandate: To "promote multi-sectoral, transdisciplinary collaboration and cooperation."

Accountability, transparency and trust are essential to drive such action, but can remain elusive.

Way Forward: Need for coordination from various departments:

1. Scientists have observed that there are **more than 1.7 million viruses circulating in wildlife**, and many of them are **likely to be zoonotic**, which implies that unless there is **timely detection**, India risks facing many more pandemics in times to come.

2. To achieve targets under the **'One Health' vision**, efforts are ongoing to address challenges pertaining to veterinary manpower shortages, the lack of information sharing between human and animal health institutions, and inadequate coordination on food safety at slaughter, distribution, and retail facilities.

3. These issues can be remedied by consolidating existing animal health and disease surveillance systems e.g., the Information Network for Animal Productivity and Health, and the National Animal Disease Reporting System developing best-practice guidelines for informal market and slaughterhouse operation (e.g., inspections, disease prevalence assessments), and **creating mechanisms to operationalise 'One Health' at every stage** down to the village level.

Conclusion:

The recently announced Prime Minister **Atmanirbhar Swasth Bharat Yojana (PM-ASBY),** supported by a Rs 3,500 crore loan from the Japan International Cooperation Agency (JICA), to boost the fight against the COVID-19 pandemic in India shall hopefully use **One Health as a foundational principle**.

India being home to a **large portion of the world's livestock farmers,** the absence of a policy framework that ratifies the 'One Health' approach in development and health policies is a major hurdle in eliminating poverty and poverty-related diseases.

Now, as we battle yet another wave of a deadly zoonotic disease (COVID-19), awareness generation, and increased investments toward meeting '**One Health' targets is the need of the hour.**

We await a vision, a strategy and a roadmap for India's 'One Health' agenda.

ESSAYS

Write an essay on the following topic in not more than *1000-1200 words*:

- ▪ **<u>MAY 30, 2021 : Economics without ethics is a caricature & ethics without economics is a fairy tale.</u>**

- ▪ **<u>MAY 23 , 2021 : Indecisiveness is the rival of Progression</u>**

- ▪ **<u>MAY 16 , 2021 : Time changes everything except something within us which is always surprised by change.</u>**

- ▪ **<u>May 09, 2021 : The possession of arbitrary power has always, the world over, tended irresistibly to destroy humane sensibility, magnanimity, and truth</u>**

- ▪ **<u>May 02, 2021 : The truth of character is expressed through choice of actions</u>**

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