



CURRENT AFFAIRS, 30TH AUGUST TO 12TH SEPTEMBER, 2020

International	6
<i>The US Presidents who have won Nobel Peace Prizes</i>	6
<i>'The 1619 Project' in school syllabi that has riled up Trump and US right wing</i>	7
<i>Drawdown in Iraq</i>	8
<i>The toxic history of nerve agent Novichok</i>	9
<i>Five years after deadly terror attack, why Charlie Hebdo has reprinted caricatures of the Prophet</i>	10
<i>Riot in Malmo, sweden</i>	11
<i>Brexit news</i>	12
<i>Why finding wreck of Karlsruhe, the sunken German WWII warship, is significant</i>	13
<i>What are the new changes in Qatari labour laws?</i>	14
<i>Israel</i>	14
<i>The great greying of China (Yogesh Gupta - former Ambassador)</i>	16
<i>Here's why Taiwan is changing its passport</i>	17
<i>The Sri lanka's 13th Amendment</i>	18
<i>srilanka 19th amendment</i>	19
<i>officials of Internatioal Criminal Court sanctioned by US</i>	21
Foreign Affairs	23
<i>Failed Pakistan bid to taint India at UN Security Council</i>	23
<i>INDIA-CHINA: on brink of war?</i>	24
<i>'China controls 1,000 sq. km in Ladakh'</i>	25
<i>What is the importance of Ladakh's Pangong Tso's south bank?</i>	26
<i>What is the Special Frontier Force, referred to as Vikas Battalion?</i>	27
<i>What the opening of waterway with Bangladesh means for Tripura</i>	28



national	29
<i>Smothering the housing rights of the urban poor (Mathew Idiculla - lawyer and researcher on urban issues and a consultant with the Centre for Law and Policy Research)</i>	29
<i>Court stays Maratha quota, sends plea to Statute Bench</i>	31
<i>OBC sub-categorisation: findings, progress by a panel so far</i>	33
<i>In SC reading of basic structure, the signature of Kesavananda Bharati</i>	34
<i>SC to Centre: adhere to Ministry circular on roads in Char Dham</i>	36
<i>Govt. suspends FCRA clearance of four Christian groups</i>	36
<i>What constitutes a breach of legislature's privilege?</i>	37
<i>Who asks for Question Hour depends on who is in Opposition</i>	38
<i>What are Question Hour and Zero Hour, and why they matter</i>	38
<i>Who gets central government security, and who pays for it?</i>	40
<i>Clause in secular marriage law violates right to privacy</i>	42
<i>Significance and capability of scramjet vehicle that DRDO tested today</i>	43
<i>The Pinaka missile system that will be deployed along India's borders with Pakistan, China</i>	44
<i>The evolving role of religious teachers in the Army</i>	44
<i>Are 74,000 subsidised stubble management machines enough for Punjab?</i>	45
<i>Why Farm laws are being protested so much</i>	46
<i>Dr. Kafeel Khan case</i>	49
<i>Who controls Assam Rifles, and what is the tussle between MoD and MHA?</i>	49
<i>'Moplah rioters' not freedom fighters</i>	51
<i>Bt cotton</i>	52
<i>Who was Govind Swarup, the pioneer of radio astronomy in India?</i>	53
<i>language bais</i>	53
<i>Censorship before a show: the law, rulings</i>	53
<i>Processes and concerns: How does public policy in social media work?</i>	55



Facebook should be treated as co-accused in riots: govt. panel.....	56
Centre launches 24/7 toll-free mental health rehab helpline	57
'Haladi' loses its flavour amid pandemic	57
Understanding the NDPS Act under which Rhea Chakraborty has been booked.....	57
Something rotten	58
An unedifying spectacle (Mohammed Ayoob - University Distinguished Professor Emeritus of International Relations, Michigan State University).....	58
Police and judicial custody in context of Rhea Chakraborty case	59
Business & Economics.....	61
Despite the messaging, it is still advantage China (Katherine B. Hadda - adjunct fellow with the CSIS Wadhvani Chair in U.S.-India Policy Studies and a prior senior U.S. diplomat who most recently served as the U.S. Consul General in Hyderabad).....	61
What counts as 'Act of God'?.....	62
India's GDP growth contracts 23.9%: What is the economics behind the math?.....	65
NCLT.....	Error! Bookmark not defined.
How will telecom firms pay AGR dues over the next 10 years?.....	67
RBI sets sectoral norms for resolution of COVID-19 related stressed assets.....	68
Reserve Bank revises audit norms for banks.....	69
Rupee gains nearly 2% in a week: What are the factors driving the upswing?	69
Life & Science	71
CELESTIAL.....	Error! Bookmark not defined.
What is Zvezda, the Russian firm making suits for India's Gaganyaan astronauts	71
Why most asteroids do not pose a threat to Earth.....	72
Two black holes merged billions of years ago. Why is this puzzling scientists?.....	73
Asteroid 465824 2010 FR, which will cross Earth's orbit in the coming days	Error! Bookmark not defined.
Study links rice intake to diabetes	Error! Bookmark not defined.
ENVIRONMENT	Error! Bookmark not defined.



Bird brains - not quite small **Error! Bookmark not defined.**

Inhaling polluted air can lead to brain damage **Error! Bookmark not defined.**

Butterflies are migrating early in southern India this year **Error! Bookmark not defined.**

Mountains that sustain millions (Juno Negi - Junior Research Fellow at the Wildlife Institute of India, Dehradun) **Error! Bookmark not defined.**

Why it is important to save a declining river species..... **Error! Bookmark not defined.**

There are five kinds of cat owners. Which one are you?..... **Error! Bookmark not defined.**

COVID -LIFE AND SCIENCE..... **Error! Bookmark not defined.**

1 in 100 Covid-19 patients found to have punctured lungs **Error! Bookmark not defined.**

How coronavirus attacks the brain **Error! Bookmark not defined.**

Work in progress on rapid, longer-lasting disinfectant..... **Error! Bookmark not defined.**

How steroids act in Covid-19 cases **Error! Bookmark not defined.**

In high-risk patients, study shows how Covid impairs immune activity **Error! Bookmark not defined.**

Radiologists show how chest X-rays can predict Covid-19 **Error! Bookmark not defined.**

Post-Covid review in children finds severe heart damage..... **Error! Bookmark not defined.**

Is COVID-19 setting off a bradykinin storm in the body? **Error! Bookmark not defined.**

No correlation between Ct values and COVID-19 severity **Error! Bookmark not defined.**

Face shields and valved masks vs regular cloth masks: Which works better? **Error! Bookmark not defined.**

How obesity impairs body's ability to fight Covid-19 infection **Error! Bookmark not defined.**

A necessary pause **Error! Bookmark not defined.**

Vaccine extremely unlikely but not impossible before US election..... **Error! Bookmark not defined.**

Vaccine for all..... **Error! Bookmark not defined.**

Need not be 'overly discouraged', says WHO after AstraZeneca pause **Error! Bookmark not defined.**

What AstraZeneca vaccine trial's pause means for vaccines **Error! Bookmark not defined.**

Memory T cells may only reduce COVID-19 severity **Error! Bookmark not defined.**

Second case of confirmed coronavirus reinfection reported **Error! Bookmark not defined.**



Study finds BCG protects the elderly from various infections	Error! Bookmark not defined.
How did MacKenzie Scott became the world's richest woman?	75
Why first reinfection cases do not change much in approach to Covid.....	Error! Bookmark not defined.
A deep dive into 4 key things you must know	Error! Bookmark not defined.
<i>psychology</i>	Error! Bookmark not defined.
Cisgender, agender, bigender, genderqueer: What are these terms, and why do they matter.....	77
How severe is typhoon Haishen?	76
<i>Australia</i>	Error! Bookmark not defined.
Why Facebook and Google are locked in a standoff with Australia's govt	Error! Bookmark not defined.
<i>South Africa</i>	Error! Bookmark not defined.
Will ruling against Caster Semanya see intersex athletes switching events?	Error! Bookmark not defined.
How African Sahara amplified a drought in Asia.....	Error! Bookmark not defined.
Why big javelin throws may be a concern	Error! Bookmark not defined.
Why International Literacy Day is observed on September 8.....	74
Why was a new group of tennis players formed?.....	Error! Bookmark not defined.
The name's Bond, Tracy Bond — the legacy of James Bond's wife, and the actor who played her	Error! Bookmark not defined.
	Bookmark not defined.
The legacy of Hercule Poirot, back on screen with Death on the Nile	Error! Bookmark not defined.
The UN's guidelines on access to social justice for people with disabilities	Error! Bookmark not defined.
A golden moment	Error! Bookmark not defined.
What is Blood Gold, and why is an ancient Amazon tribe talking to Indians about it?	Error! Bookmark not defined.
	defined.
What is #CancelNetflix all about?	Error! Bookmark not defined.
A robot to measure Covid-19 patients' vital signs	Error! Bookmark not defined.
Common heart drugs are safe in Covid-19 patients	Error! Bookmark not defined.
<i>All you need to know about colon cancer</i>	Error! Bookmark not defined.



INTERNATIONAL

THE US PRESIDENTS WHO HAVE WON NOBEL PEACE PRIZES

A far-right Norwegian legislator said that he has nominated US President Donald Trump for the 2021 Nobel Peace Prize for his efforts towards furthering peace in the Middle East. *This is the second time that Tybring-Gjedde has sought the award for Trump. In 2018, along with another Norwegian lawmaker, he had nominated the American leader for his work in reducing tensions between North and South Korea.* Trump, on his part, has repeatedly expressed his desire for being bestowed with the Peace honour. Earlier this year, he took partial credit for the award given in *2019 to Ethiopian Prime Minister Abiy Ahmed Ali*, for the latter's initiative in resolving Ethiopia's border conflict with neighbouring Eritrea. Referring to Ali, Trump had said, "I made a deal. I saved a country, and I just heard that the head of that country is now getting the Nobel Peace Prize for saving the country." This year's Nobel Peace Prize is scheduled to be announced October 9. *Should Trump win next year, he would become the fifth US President in history to be given the prestigious award.* A look at the US Presidents and Vice-Presidents who have won the Nobel Peace Prize:

Theodore Roosevelt (1906)

Roosevelt, the 26th occupant of the White House (1901-09), was not only the first American president but also the world's first statesman to win the honour, five years after the Peace Prize was instituted in 1901. A historian, biographer, statesman, hunter and naturalist, *Roosevelt was given the prize for negotiating peace between imperial Russia and Japan after the Russo-Japanese War of 1904-05. Roosevelt was also praised for his efforts in resolving a dispute between the US and Mexico through arbitration, and for extending the use of arbitration as a means for settling international disputes.* At home, Roosevelt launched radical social and economic reform policies, and earned a reputation as a "trust buster" for breaking up monopolies. Critics, however, blame Roosevelt for nurturing America's imperial ambitions, such as completing his country's domination of the Philippines. *He is also known for opposing the efforts of Woodrow Wilson, the 28th President and second top statesman from the country to win the Nobel Peace Prize, towards making the US a member of the League of Nations.*

Woodrow Wilson (1919)

Wilson (US President, 1913-21) was given the award for his efforts in ending World War I, and for being the key architect of the League of Nations- born out of his famous 'Fourteen Points'. Although the League faltered in a few years, it served as a blueprint for the United Nations after World War II. At home, Wilson saw the reduction of import duties, started America's central bank and a national business oversight body, and strengthened anti-monopoly and labour laws. *In his second term, the US passed its 19th constitutional amendment giving women the right to vote.* However, despite his many achievements, *Wilson held highly racist views*, and his administration is blamed for pushing back against decades of African American progress by using tactics such as segregating the country's civil service and demoting or transferring Black officials. *In June this year, after anti-racism protests swept the US, Princeton University dropped Wilson's name from its prestigious School of Public and International Affairs; joining a list of famous organisations in the country that announced efforts towards addressing systemic racism.*

Jimmy Carter (2002)



The 39th President was awarded the Peace Prize "for his decades of untiring effort to find peaceful solutions to international conflicts, to advance democracy and human rights, and to promote economic and social development". During his presidency (1977-81), Carter earned praise for his role in bringing about a peace agreement between Israel and Egypt. His later years were more fraught, including foreign policy failures such as the conflict with Iran and the Soviet invasion of Afghanistan, culminating in him losing re-election to the conservative Ronald Reagan in 1980. Post his presidency, Carter pursued peace and mediation efforts independently, and co-founded the Carter Center, a non-profit that chiefly works to advance human rights.

Barack Obama (2009)

The country's 44th President (2009-2017) was given the Nobel Peace Prize "for his extraordinary efforts to strengthen international diplomacy and cooperation between peoples". Cited among Obama's achievements were his promotion of nuclear non-proliferation, and bringing a "new climate" in international relations. Obama was bestowed with the honour less than eight months after he was sworn in, and many, including Obama supporters, criticised the Nobel committee's decision. Geir Lundestad, the former Nobel secretary, later expressed regret for the selection. Obama donated the full prize money – 10 million Swedish kronor (around \$1.4 million) – to charity. Apart from the four US Presidents, one Vice President– Al Gore (1993-2001) – has been given the Nobel Peace Prize, who shared the honour in 2007 with the Intergovernmental Panel on Climate Change (IPCC) for their joint efforts "to build up and disseminate greater knowledge about man-made climate change, and to lay the foundations for the measures that are needed to counteract such change."

'THE 1619 PROJECT' IN SCHOOL SYLLABI THAT HAS RILED UP TRUMP AND US RIGHT WING

President Donald Trump recently criticised an educational curriculum that teaches the impact of slavery in the US as "revisionist history", and threatened to withhold federal funding from public schools using the resource. The contested curriculum is based on The 1619 Project, a Pulitzer Prize-winning collection of essays on African American history of the past four centuries, which explores the Black community's contribution in nation-building since the era of slavery to modern times. *A special edition of The New York Times Magazine, it takes its name from the year 1619, when the first enslaved Black people were brought to the present-day United States.*

What is 'The 1619' Project?

The Project is a special initiative of The New York Times Magazine, launched in 2019 to mark the completion of 400 years since the first enslaved Africans arrived in colonial Virginia's Jamestown in August 1619. The edition consists of 30 written and visual pieces by journalists, historians, poets, playwrights, authors and artists, examining how social structures that developed in the US as a consequence of slavery affect present-day laws, policies, systems and culture, and the contributions of Black people in America's nation-building. It is a brainchild of Nikole Hannah-Jones, a MacArthur Grant-winning journalist with the NYT Magazine, who was awarded a Pulitzer Prize for commentary in 2020 for her work on the edition.

Criticism by conservatives and historians

The Project's central idea, that US history should be reframed around the date of August 1619, has been opposed by those who insist that the nation's story should be told the way it has been over



the years—beginning with the year 1776, when the Declaration of Independence was signed, or from 1788, when the US Constitution was ratified. *What has particularly annoyed conservatives and some historians is the Project's introductory essay by Nikole Hannah-Jones, which suggests that America's founding leaders sought freedom from the British Empire largely to preserve the institution of slavery, and not for lofty ideals.* Hannah-Jones says in the essay, "In other words, we may never have revolted against Britain if some of the founders had not understood that slavery empowered them to do so; nor if they had not believed that independence was required in order to ensure that slavery would continue. "It is not incidental that 10 of this nation's first 12 presidents were enslavers, and some might argue that *this nation was founded not as a democracy but as a slavocracy.*" *After The 1619 Project was launched, the Pulitzer Center developed curricula based on it for use by teachers free of charge. Some schools subsequently said they would adopt the education material, much to the chagrin of conservative leaders.* This year, a Republican party legislator, Tom Cotton, introduced a bill titled the "Saving American History Act of 2020", which aims to "prohibit the use of federal funds to teach the 1619 Project by K-12 schools or school districts. *Schools that teach the 1619 Project would also be ineligible for federal professional-development grants.*" *While the proposed law is not expected to be passed by the US Congress, it is being seen as a message by Republicans before the November elections, a CNN report said.* Trump has also doubled down on what he describes as "cancel culture" and "revisionist history". As a counter to the Black Lives Matter protests that have swept the country in recent months, he has vigorously opposed removing from US cities the statues of Conservatives figures who fought to maintain slavery during the American Civil War.

DRAWDOWN IN IRAQ

The U.S.'s decision to cut troops in Iraq is both a relief and a challenge to the Iraqi government. It is a relief because public opinion in Iraq is increasingly against the continuing presence of U.S. troops in the country, particularly after the assassination of Iranian General Qassem Soleimani in Baghdad in January. Iraqi lawmakers passed a non-binding resolution after the assassination, asking the government to oust the Americans. The new government of Prime Minister Mustafa al-Kadhimi has stated that it does not want U.S. troops in combat operations. But he has asked for training services and other assistance. Now that the *U.S. is cutting troops from 5,200 to 3,000*, Mr. *Kadhimi could argue that his government is committed to seeing the full withdrawal of the U.S. troops.* It is a challenge because the *U.S. troops had played a key role in the war against the Islamic State (IS)*, and with the drawdown, the Iraqi forces would have to share a greater burden in the fight against jihadists. The American political leadership has long wanted to pull troops out of Iraq. President Barack Obama had set a timetable for the pull back and withdrew most troops by 2011, but he had to send thousands of soldiers back to Iraq after the rise of the IS. President Trump promised to end the "endless wars" during his campaign. Now that the IS has been driven out of the major population centres of Iraq, he could claim victory and draw down troops.

While the U.S.'s decision is part of the Trump administration's larger policy of bringing back American troops home, the local factors cannot be overlooked. The U.S. found it increasingly difficult to station a large number of troops in Iraq. At the height of the war, the U.S. had over 1,50,000 troops in Iraq. But in recent years, it found stationing even 10,000 troops risky. This is partly because of the hostile political environment and partly due to the growing influence of Iran and Shia militias in Iraq. In January, the U.S. killed Soleimani after Shia militias attacked American troops. Iran retaliated by launching ballistic missile attacks on a U.S. air base in Iraq, injuring some



100 American soldiers, while the Shia militias continued attacking U.S. troops. In March, three of the coalition troops, two of them Americans, were killed in such an attack. Since then, the U.S. has repositioned troops, and the drawdown will reduce risks of such confrontations in the future.

While the Americans leave, the Iraqi government should be careful of not letting any security vacuum being filled by jihadist groups. Though the IS has been driven underground, at least 10,000 IS fighters are still active in Iraq, according to UN assessments. The sectarian policies of the Nouri Al-Maliki government, coupled with the security vacuum left by the U.S. withdrawal in 2011, allowed Al-Qaeda in Iraq, with battle experience from the civil war-stricken Syria, to exploit Sunni resentment in northern Iraq and build the IS. The Iraqi government should not allow history to repeat itself.

THE TOXIC HISTORY OF NERVE AGENT NOVICHOK

Two years after coming in the spotlight after the alleged poisoning of former Russian spy Sergei Skirpal and his daughter Yulia Skirpal in Britain, the Soviet-era nerve agent Novichok is back in the news. This time it is reported to be used to poison Russian opposition leader and anti-corruption activist Alexei Navalny. Navalny, who is one of Putin's fiercest critics, fell ill on a flight back to Moscow from Siberia on August 20. He was first taken to a hospital in the Siberian city of Omsk, from where he was later transferred to Berlin's Charite Hospital.

How was the Novichok agent developed?

During the Cold War, when the Soviet Union and the United States were at loggerheads, the two were also aggressively developing weapons of mass destruction. On March 25, 1983, the Central Committee of the Communist Party and the Soviet Council of Ministers issued a secret decree directing the research institute GosNIIOKhT in Moscow to develop binary versions of the fourth generation agents. The rationale behind the move was to catch up with the United States, which already had three binary chemical munitions under development. However, *unlike the United States where the development of binary chemical agents were being openly debated in the Congress, in the Soviet Union, the nerve agents were being developed under extreme secrecy, as part of a programme codenamed 'FOLIANT'.* One of the main reasons for the secrecy was to develop such agents whose components *resembled ordinary industrial chemicals*, so that they would not be detected using the standard 1970s and 1980s NATO chemical detection equipment. The chemicals used to make the agent are far less hazardous than the agent themselves, and therefore, it could also circumvent the *Chemical Weapons Convention*, an arms control treaty that came into effect from April 1997 and has 192 countries as signatories. *The first chemical weapon developed by the Foliants scientists was given the code name 'Novichok', which in Russian means 'newcomer'.* Subsequently, Novichok agents started being produced in research institutes in Uzbekistan and Russia.

How does the Novichok agent affect the human body?

The nerve gas is 10 times more effective in killing people than the US equivalent, known as VX. Like other binary nerve gases, Novichok too is absorbed through the lungs or skin and interferes with the nervous system, leading to *paralysis. Nerve gases block the action of acetylcholinesterase, an enzyme that catalyses the breakdown of acetylcholine and of some other choline esters that function as neurotransmitters.* Consequently, muscles go into a state of uncontrolled contraction, which is a sign of paralysis or seizure like state. *It can turn fatal if the paralysis extends to the*



cardiac and respiratory muscles. dilation of pupils, sweating and gastrointestinal pain are some of the other symptoms caused by nerve agents.

In November 2019, the Organisation for the Prohibition of Chemical Weapons (OPCW) added Novichok to its list of banned toxins, in one of the first major changes to the treaty since it was signed in the 1990s. Instances when nerve agents have been used in warfare include the Iran-Iraq war, when Iraq used them against Kurdish residents in 1988. In 1994, eight people died and 500 were affected when a *Sarin attack* took place at Matsumoto in Japan. Further, in 1995 a sarin attack took place in the Tokyo subway killing 12 persons and injuring 50 others. More recently, in April 2018, nerve agents used during an attack carried out in the Syrian city of Douma led to the death of nearly 50 people.

FIVE YEARS AFTER DEADLY TERROR ATTACK, WHY CHARLIE HEBDO HAS REPRINTED CARICATURES OF THE PROPHET

Five years after Islamist terrorists stormed its offices in Paris and slaughtered 12 people and injured at least 11, the French satirical magazine Charlie Hebdo republished controversial cartoons depicting the Prophet, which had provoked that attack. Among those killed in the January 7, 2015 attack by brothers Saïd and Chérif Kouachi, were several cartoonists, including some of France's most celebrated. The massacre left a deep scar and sparked global debates on free speech, blasphemy and religion. The caricatures were reprinted a day before the scheduled opening of the trial of 14 suspected accomplices who were accused of providing logistic and material support to the two terrorists. The Kouachi brothers themselves were killed by French gendarmes in a standoff outside Paris on January 9, 2015. The suspects will be tried on multiple charges, including complicity in murder and terrorist conspiracy, at a courthouse in northwest Paris over the next few months.

Why did Charlie Hebdo republish the cartoons?

Many believe that by republishing the cartoons a day before the landmark trial, the iconoclastic French publication sought to make a loud and defiant statement in support of free speech and expression. Some others have said that by its provocative action, Charlie Hebdo is needlessly reopening old wounds. In an editorial note accompanying the new edition, publishing director Laurent 'Riss' Sourisseau, who sustained injuries in the 2015 attack, wrote, "the only reasons to not publish the cartoons again would "stem from political or journalistic cowardice", according to media reports. The drawings "belong to history, and history cannot be rewritten nor erased", the magazine said.

Charlie Hebdo has had a history of provocation

The cover of the latest edition of the magazine features all 12 cartoons, which were criticised around the world, and triggered violent protests in some Muslim countries. *The cartoons were first published by the Danish newspaper Jyllands-Posten on September 30, 2005, and subsequently reprinted by Charlie Hebdo the following year.* Religious leaders in Muslim countries called for a boycott of Danish goods. The editor-in-chief of the newspaper ultimately issued a lengthy apology for publishing the cartoons, which he said had caused "serious misunderstandings". In France, an attempt to sue Charlie Hebdo for hate speech was defeated in court. In 2011 and 2012, the magazine again published illustrations that were offensive to Muslims, and triggered criticism and a backlash that included a firebomb attack on its office.



What happened at the Charlie Hebdo office in 2015?

The Kouachi brothers, French-born sons of Algerian immigrants, stormed the Charlie Hebdo office in Paris armed with Kalashnikov assault rifles, grenades and pistols. Among the 12 people they killed was then-editor Stéphane Charbonnier, the satirical caricaturist and journalist widely known as 'Charb'. Media reports from the time said many witnesses heard the gunmen shouting "We have avenged the Prophet" and "God is Great" in Arabic, while calling out the journalists and cartoonists by name. Yemen-based al-Qaida on the Arabian Peninsula (AQAP), also known as Ansar al-Sharia, claimed responsibility for the attack.

What has been the reaction to the magazine's decision to republish the cartoons?

Through its official Twitter handle, Pakistan's Foreign Office on Monday condemned "in the strongest terms the decision by the French magazine, Charlie Hebdo, to re-publish (the) deeply offensive caricature of the Holy Prophet". *Mohammed Moussaoui, president of the French Council of Muslim Worship (CFCM) urged people to ignore the cartoons. "The freedom to caricature is guaranteed for all, the freedom to love or not to love (the caricatures) as well. Nothing can justify violence," Moussaoui told AFP.*

French President Emmanuel Macron was quoted as saying on Tuesday that it was not his place to pass judgment on Charlie Hebdo's decision to re-publish the cartoons. Speaking during a visit to Lebanon, Macron said it was important for French citizens to be respectful towards each other, and to avoid a "dialogue of hate", but he would not criticize the magazine's decision to republish the cartoon, DW reported, quoting the French broadcaster BFM TV.

RIOT IN MALMO, SWEDEN

*A riot broke out in the Swedish town of Malmo, where around 300 people had gathered to protest against anti-Islam activities, reported Reuters. According to the news report, right-wing extremists had set fire to a copy of the Quran, which escalated violence in the town that local police had found difficult to control. The AFP reported that Rasmus Paludan, a far-right Danish politician who leads the anti-immigration party Hard Line, also called **Stram Kurs**, was due to speak at the rally where a copy of the Quran was being burned. However, Sweden authorities blocked his arrival in Malmo, prompting further violence among clashing groups.*

What is Stram Kurs?

This far-right Danish political party is relatively new. It was founded in 2017 by Rasmus Paludan and is known for its openly anti-Islam stance. *Much of the party's agenda focuses on building an anti-Islam narrative and engaging in acts that are provocative and offensive towards Islam and Muslims.* The party uses social media platforms and public gatherings to further their agenda. Along with having hardline views on ethnicity, immigration and citizenship, the Stram Kurs also seeks a ban on Islam and particularly singles out Muslims in Denmark. It is not known how many members the party has, but it did try to contest the 2019 Danish general election, gaining only a handful of votes. In the summer of 2019, the party had managed to secure the 20,000 voter signatures it had required to contest the parliamentary elections. *In March 2020, the Stram Kurs was found guilty of misusing the Danish voting declaration system and the temporary suspension that had been levied upon it in December 2019 was extended up to September 2022. To bypass this*



suspension, the party renamed itself 'Hard Line'. Danish government agencies did not find the creation of this new entity illegal and it was allowed to operate.

Who is Rasmus Paludan?

Paludan is a former lawyer and politician, who is known for his anti-immigration, anti-Muslim and racist stance. Paludan once tossed a book in a public square in Copenhagen, claiming it was the Quran and let it fall to the ground. On other occasions, Reuters reported that Paludan has wrapped a copy of the Quran in bacon and publicly burned the holy book, claiming he was exercising his right to free speech. According to a Guardian new report from 2019, Paludan's incendiary videos on YouTube had gained a large number of teenage followers, a platform that had allowed him to build his follower base relatively quickly, transforming him from an obscure lawyer to an extremist who was contesting in the Danish general elections.



What has led to the rise of the far-right in Europe?

For decades, Sweden and Denmark stood out for being one of the few politically stable countries in the region. That has changed over the past few years, particularly since the migration crisis in Europe that started in earnest in 2015. In 2015, when Sweden began witnessing a sharp increase in immigration, the country also faced anti- and pro-immigration demonstrations and related clashes. An Al Jazeera news report from 2019 indicated that anti-Muslim extremism has become more severe in Denmark over the past few years, and far-right parties like Paludan's Hard Line and their rhetoric have contributed to this.

BREXIT NEWS

British Prime Minister Boris Johnson's move to set an October 15 deadline for reaching a post-Brexit U.K.-EU trade deal has raised fears of a no-deal scenario. While his threat hangs like the sword of Damocles above the negotiating teams, the British government is reportedly planning a piece of legislation that would overwrite parts of the withdrawal agreement — the divorce deal signed between the U.K. and the EU last year. *The agreement had sought to avoid a hard border coming up between Northern Ireland, which is part of the U.K., and the Irish Republic, an EU member.* According to the Northern Ireland protocol, signed alongside the agreement, the region is expected to follow some EU rules in trade with the Irish Republic. The hard Brexiters in *Mr. Johnson's Conservative*



Party were critical of this clause, claiming that it endangers the U.K.'s sovereignty. Now, the planned domestic legislation, the Internal Market and Finances Bill, will allow U.K. courts to follow new U.K. laws rather than the divorce agreement. Northern Ireland leaders have already called it a "betrayal". *The real risk of cutting the region off the EU customs code is that physical checks could emerge between the two Irelands, threatening the Good Friday agreement that brought peace.*

Though the U.K. formally exited the union, it continues to abide by the EU rules during the transition period, which ends in December. The challenge is to reach a trade deal in the absence of which WTO trade rules will kick in, starting January. With weeks to go before the deadline, there is still no consensus on issues such as workers' rights, environmental regulations, state aid to businesses and the Irish border. While the EU wants the U.K. to adopt rules that are close to its own to ensure a "level playing field" in trade, the British government argues that the whole point of the EU divorce was to break free from common rules. *Regarding Northern Ireland, the hard Brexiteers are opposed to any special treatment to the region.* The new legislation suggests that the government is hardening its position on Ireland as well. Driven by English nationalist fervour, the British leadership appears to be blind to the economic and political consequences of its hard line. The Brexiteers have already pushed the U.K. into an unenviable position in Europe. A no-deal exit will inflict severe economic costs on the British, at a time when the economy is in dire straits due to COVID-19. Besides, it *risks disrupting peace in the island of Ireland.* Mr. Johnson and his cabinet should ask themselves whether the no-deal risk is worth taking. They should instead respect the withdrawal agreement, and be flexible in the talks as well as on deadlines. Both sides should focus on reaching a consensus on trade and other future relations, and not on ending the relationship at any cost.

WHY FINDING WRECK OF KARLSRUHE, THE SUNKEN GERMAN WWII WARSHIP, IS SIGNIFICANT

The Karlsruhe, a 174-metre light armoured cruiser, was the last of the big German World War II-era warships to remain missing – until its wreckage was found on June 30. The wreckage of the ship, sunk by a British submarine in 1940, was discovered around 11 nautical miles (20 km) off Kristiansand, Norway, during a routine inspection of undersea electricity cables. The finding was reported by Norwegian public broadcaster NRK last week.

The ship's history

The Karlsruhe was built in the mid-1920s and commissioned into the German Navy in 1929. It was used mostly as a training vessel until World War II. By the time it was used in battle, its structure and weapons systems had been upgraded several times, making it one of Germany's most effective warships of its class. On April 9, 1940, as German forces set out to invade Norway, the Karlsruhe led a fleet of warships to attack the city of Kristiansand. The advanced guns and cannons on the ship, supported by other smaller ships in the fleet, destroyed the city's maritime defences in just a few hours. The fleet dropped off soldiers in Kristiansand, and they, with the help of German warplanes, would go on to take over the city and eventually occupy the whole of Norway.

Its sinking

After dropping off most of its crew, the Karlsruhe turned around to head back to Germany, but it didn't get very far from Kristiansand harbour. Just outside the fjord that leads away from the



harbour lurked the *British submarine HMS Truant*. When it spotted the Karlsruhe emerging from the harbour, the submarine fired multiple torpedoes in its direction, hitting it twice and causing severe damage. The crew attempted to save the ship, trying to navigate it to safety, but gave up after a couple of hours as the seawater rushed in through the broken hull. Everyone in the Karlsruhe was evacuated to other boats in the fleet and one of those fired two more torpedoes at it to make sure that it sank to the bottom of the sea.

WHAT ARE THE NEW CHANGES IN QATARI LABOUR LAWS?

Recently, Qatar has brought about a change in its labour laws, scrapping rules requiring migrant workers to take their employers' permission before changing jobs, and setting the monthly minimum wage at about \$274, an increase of over 25 per cent. The reforms, which were announced by the Emir of Qatar in October 2019, were signed into law on Sunday.

What are Qatar's new labour laws?

The first reform *has abolished the unjustified 'kafala system' or requirement for a "no objection certificate" that migrant workers needed to get from their employers before changing jobs. Now, workers will have to serve a one-month notice period if they have worked for less than two years and notice period of two months if they have worked longer.* The second reform involves *increasing the minimum wage by 25 per cent to \$274 or 1000 Qatari riyals and an additional 300 QAR for food and 500 QAR for accommodation in case not provided by the company.* These reforms are now applicable to workers of all nationalities and in all sectors, including domestic workers who were previously excluded.

Qatar labour laws: Why were they changed?

Qatar is hosting the 2022 FIFA World Cup and in the run-up to the sporting event that is viewed by more than half of the global population, the country has faced flak for its labour laws, seen by many as being exploitative of migrant labourers. The International Labour Organisation (ILO) has hailed the move and notes that Qatar is the first country in the region to dismantle the "kafala" sponsorship system that is common in the Gulf region and requires workers to have a sponsor in the country they are working, who then becomes responsible for their visa and legal status. For unskilled workers, this means depending on their employers for such sponsorships. ILO further said that the introduction of the non-discriminatory minimum wage would affect over 400,000 workers in the private sector and will increase remittances in the workers' country of origin.

ISRAEL

*The roots of the conflict in modern times can be traced back to **the Jewish immigrations (aliyah)** into historical Palestine, the land between the Jordan River in the east and the Mediterranean Sea on the west, in the late 19th century. Faced with persecution in Europe and elsewhere, Jews started migrating to Jerusalem and its surrounding areas, which were part of the Ottoman Empire. By the onset of the First World War, Palestine had a sizeable Jewish population. To ensure the support of the global Jewry in the war efforts against the Ottomans, the British reached out to the Zionists. In November 1917, British Foreign Secretary Arthur Balfour wrote a letter to Lord Rothschild, a leader of the British Jewish community, in which he stated that the His Majesty's Government backed "the establishment in Palestine of a national home for the Jewish people". The letter came to be known as*



the Balfour Declaration, which Arab historian Rashid Khalidi called “the first declaration of war on Palestinians”. After the War, Palestine became a British-mandated territory. In 1929, the World Zionist Organisation had established the Jewish Agency as its operative branch. The Agency became the de facto administration of the settlers in Palestine, while the aliyah continued. After the Second World War, the UN proposed a plan to partition Palestine into an independent Arab state, an independent Jewish state and an international Jerusalem. The plan, which was welcomed by the Jews but rejected by the Arabs, never got implemented. On May 14, 1948 — on the last day of the British mandate over Palestine — David Ben-Gurion, the Chairman of the Jewish Agency, declared the establishment of the state of Israel. The declaration, in the midst of raging violence between Jewish militias and Palestinians, led to the first Arab-Israeli war. By the time the war was over, Israel had captured 23% more territories than what the UN partition plan had proposed, including West Jerusalem, while Transjordan took the West Bank and East Jerusalem and Egypt the Gaza Strip.

*The Palestinian Liberation Organisation (PLO), formed in 1964, emerged as the torch-bearer of Palestinian nationalism. The PLO, under the leadership of **Yasser Arafat**, initially operated from Jordan. But when King Hussein cracked down on the Palestinian guerillas in September 1970 (Black September), the PLO moved to Lebanon. The Israelis went after them. Israel invaded Lebanon in 1978 and 1982, finally forcing the PLO to leave Lebanon. Arafat shifted to Tunis, and called for an **intifada (uprising)**. In the *Oslo Accords*, signed between **Mahmoud Abbas** and Prime Minister **Yitzak Rabin** in 1993, the PLO and the Israeli government offered mutual recognition. Israel agreed to the formation of a provisional government (the Palestinian Authority). The plan was to take the Oslo process to a final settlement based on the two-state solution. But in 1995, Prime Minister Rabin was assassinated.*

Outstanding issues

After Oslo, there were multiple efforts to find a solution to the conflict. U.S. President Bill Clinton hosted a peace talk in Camp David between Arafat and Israeli Prime Minister Ehud Barak in 2000, the failure of which led to the violent second intifada in the occupied territories. In 2002, Saudi Arabia made a proposal — peace with Israel in return for an independent Palestinian state. In the same year, the Quartet — the U.S., the UN, the EU and Russia — unveiled the three-phase Roadmap for Peace. None of these took off. Primarily, there are three outstanding issues. One, boundary. *The Palestinians and Arab countries say a Palestinian state should be formed based on the 1967 border (the Green Line). But Israel has already redrawn this border on the ground by building huge security walls that cut into Palestinian territories and expanding Jewish settlements deep inside the West Bank.* Two, capital. *The Palestinians see East Jerusalem as their future capital, but the entire city has been under Israeli control. The Old City houses the Church of Holy Sepulchre (Christians believe the church stands on the hill where Jesus was crucified); Haram al-Sharif (or Temple Mount), which houses the Al-Aqsa Mosque, the third holiest site in Islam and the Dome of the Rock, from where the Prophet is believed to have ascended to heaven on a winged horse called Buraq; and the Wailing Wall, which is believed to be the remains of the Second Temple of Jews.* Three, refugees. *The first Arab-Israeli war has led to the displacement and exodus of hundreds of thousands of Palestinians, which they call Nakba (catastrophe). Israel has never accepted their right to return, because if they return, it would alter the demographics of the Jewish nation.* While the peace processes failed to find a solution, Israel continued to deepen its occupation. *The Palestinians are now a divided lot. The Fatah party, once led by Arafat, is heading the truncated Palestinian Authority in the West Bank, while the Islamist Hamas is ruling the blockaded Gaza. Palestinian youth often launch lone-wolf attacks on Israeli troops, only to be shot dead or their houses to be demolished. The Islamists who*



fire rockets into Israel from Gaza invite Israeli bombings on the Gazans. Israel is practically controlling the movement of Palestinians through the walls, checkpoints and blockades. And in the absence of any peace process, the status quo is here to stay.

THE GREAT GREYING OF CHINA (YOGESH GUPTA - FORMER AMBASSADOR)

*China's one child policy (OCP) was conceived by Senior Leader **Deng Xiaoping in 1979** to seek popular support for the Chinese Communist Party (CCP) after **Mao's** disastrous '**Great Leap Forward**' and '**Cultural Revolution**' (which led to the death of about 60-65 million people). Prof. David Lampton, an American sinologist, has observed that Deng was worried that "if the party did not produce significant gains in per capita income, it would lose what little legitimacy" it had retained.*

Policy fallout

*The results of the one child policy have been disastrous. Average birth rate in China has fallen to 1.6 births per woman (National Bureau of Statistics of China) in 2017, though the unofficial figures put it as low as 1.05 (the United States: 1.77, India: 2.24) and much less than the population replacement rate of 2.1. **Fewer children were born and of them, fewer were females (given China's preference for boys like in some other countries).** Research by Prof. Yi Fuxian (2019) at the University of Wisconsin-Madison, U.S., reveals that the proportion of *China's population aged above 65 years would increase from 10% in 2010 to 32.6% in 2050 (corresponding figures for India are 5.6% and 14.2% and the U.S. 14.6% and 23.2%).* Its labour force (ages 20-64) will reduce from about a billion in 2017 to 787 million by 2050. Thus, China will be a country dominated progressively by older people in the coming years. *Despite the raising of the limit to two children in 2016, the number of newborns has not improved and slipped to the pre-2016 level. The one child policy has changed China's child-bearing attitudes for the worse as many young couples do not want to have two babies for economic and lifestyle reasons.* Prof. Fuxian has affirmed that China's population has started contracting from 2018 onwards; local authorities in China bloat the births and school enrolment figures to seek more funds from the central government. *If China can stabilise its fertility rate at 1.2, its population will fall to 1.07 billion in 2050 and 480 million by 2100.**

The implications

The aging population will have a multi-dimensional impact. China *will need huge expenditures on health, social welfare and pensions*; its savings rate will decline; a fall in the number of young people will lead to a decline in manufacturing, exports, and also mean lower revenues for government. With its annual per capita income at \$10,000, increasing population of older people and slowing economic growth rates, China will get old before reaching the levels of rich countries like the United States, Singapore, Japan and others. *China's armed forces are already struggling as many one child policy children are often misfit for fighting in tougher conditions.* Will the population decline create a richer society in China? Japanese economist Prof. Hisakazu Kato, says, using Japan's experience, that it is unlikely as a smaller population reduces intellectual exchanges among diverse human groups, reducing chances of the emergence of great innovators. Developed countries have reduced the impact of declining population by raising the total factor productivity (TFP) growth (ratio of output versus cost of inputs per hourly basis). China has already availed its rapid TFP growth by shifting its large population of migrant workers from agriculture to manufacturing and reforms in state-owned enterprises, housing and other sectors (China's TFP



grew by 5% annually in 1980s, 7% during 1991-95, 4% from 1995 to 2010 and 2% from 2010-2015, before declining to lower levels afterwards). Three factors are considered critical for increasing the TFP: market reforms, improvement of governance and scaling of human skills in manufacturing and services. Post-2008, China's economic growth has been driven progressively by higher government investment which has created unproductive assets in many cases, i.e., overcapacity in metals, cement and other industries, empty apartment complexes, or rarely used infrastructure such as metro networks, oil pipelines and ports.

Absolute control

China has never ranked very high in governance indicators of international organisations such as the World Bank; in 2016, it was in 68th percentile for 'government effectiveness' and 77th in the annual Corruption Perceptions Index of Transparency International (2017). Instead of giving representation to new interest groups such as industrialists, micro, small and medium enterprises (MSMEs), professionals, media and academics, Mr. Xi has moved in the direction of curbing any dissent and establishing absolute control over Chinese society. In improvement of China's human resources, there are big variations in high school pass rates of urban (90%) and rural children (24%). Considering that about 40% of China's population still lives in rural areas, this huge gap will be an inhibiting factor in raising TFP. *In the last 70 years, only 15 countries have managed to climb from middle to high income status, e.g. Singapore, South Korea, Taiwan, others and all of them had skilled their workforces with three quarters or more of their working population having completed high school. Under Mr. Xi, China is not moving in the direction of reforms incorporated by developed countries, but evolving its own agenda mainly focused on administrative and bureaucratic improvements concomitantly enhancing party's control over the economy.* Even many Chinese economists are doubtful if Mr. Xi's plans for augmenting TFP and high economic growth through induction of emerging technologies such as 5G, artificial intelligence or rapid urbanisation will succeed in the absence of much-needed reforms in economy, governance and the education system. Also, unlike the past, China will face a hostile external environment in the coming years as a reaction to Mr. Xi's unfair and aggressive policies, which will further constrain cooperation in new technologies. In this background, *a more likely scenario is that China's economic growth will stutter and decline as the impact of aging gets more pronounced in the coming years.*

HERE'S WHY TAIWAN IS CHANGING ITS PASSPORT

Taiwan announced it would redesign its passport to highlight its own name. The move comes weeks after Taiwan's legislature passed a proposal by unanimous vote to remove 'Republic of China', printed in English, from the passport cover. 'Republic of China' would, however, continue to be featured using Chinese characters on the passport cover. According to a Reuters report, the new passport would be in circulation from January 2021.

Why is Taiwan redesigning its passport?

The Reuters report suggested that Taiwan nations had faced difficulties during travel during the coronavirus outbreak due to the word 'Republic of China' prominently printed on the passports and 'Taiwan' printed below. Taiwan is among the few countries that has successfully managed to control the coronavirus outbreak and infection numbers have been low in comparison to many of its neighbours. *Despite this, Taiwan's government said that several countries had imposed similar restrictions on Taiwanese nationals as they had on China's citizens.*



Observers believe Taiwan may also be using the opportunity to assert its own sovereignty and move away from the Republic of China, its official name. China has historically asserted sovereignty over Taiwan and has consistently tried to quash attempts signifying independence. During the coronavirus pandemic, China had insisted that only Beijing had any authority to speak for Taiwan on an international platform, most significantly at the WHO. There were assertions that China's interference in this way was impacting Taiwan's ability to manage public health and safety during the pandemic.

Has Taiwan's passport been changed before?

In the past, Taiwan's citizens have used stickers saying 'Republic of Taiwan' to block the words 'Republic of China' on their passports. When the trend started in 2015, China had warned that it would deny entry to travellers who had used these stickers on their Taiwanese passports. In 2016, reports emerged of Macau denying entry to travellers who had used these stickers on their passports, as did Hong Kong. In November 2015, Singapore had deported three Taiwanese nationals for using the stickers to block 'Republic of China' on grounds that the travel documents had been illegally altered. When the trend of these stickers had gained traction, the United States of America had also issued a warning that travellers using these stickers would be denied entry into the country. At that time, Beijing had viewed these stickers as an attempt to assert Taiwanese independence. The discrimination and difficulties that Taiwanese passport holders have faced regarding their travel documents have brought back attention to these previous attempts to distance Taiwan from China and have simultaneously highlighted the growing frustration of Taiwanese nationals with China.

THE SRI LANKA'S 13TH AMENDMENT

After the Rajapaksas' win in the November 2019 presidential polls and the August 2020 general election, the spotlight has fallen on two key legislations in Sri Lanka's Constitution. One, *the 19th Amendment, that was passed in 2015 to curb powers of the Executive President, while strengthening Parliament and independent commissions.* The Rajapaksa government has already drafted and gazetted the 20th Amendment. The other legislation under sharp focus is the *13th Amendment passed in 1987, which mandates a measure of power devolution to the provincial councils established to govern the island's nine provinces.*

What is the legislation?

It is an outcome of the *Indo-Lanka Accord of July 1987, signed by the then Prime Minister Rajiv Gandhi and President J.R. Jayawardene,* in an attempt to resolve Sri Lanka's ethnic conflict that had aggravated into a full-fledged civil war, between the armed forces and the Liberation Tigers of Tamil Eelam, which led the struggle for Tamils' self-determination and sought a separate state. *The 13th Amendment, which led to the creation of Provincial Councils, assured a power sharing arrangement to enable all nine provinces in the country, including Sinhala majority areas, to self-govern.* Subjects such as education, health, agriculture, housing, land and police are devolved to the provincial administrations, *but because of restrictions on financial powers and overriding powers given to the President, the provincial administrations have not made much headway. In particular, the provisions relating to police and land have never been implemented.* Initially, the north and eastern provinces were merged and had a North-Eastern Provincial Council, but the two were de-merged in 2007 following a Supreme Court verdict.



Why is it contentious?

The 13th Amendment carries considerable baggage from the country's civil war years. It was opposed vociferously by both Sinhala nationalist parties and the LTTE. *The former thought it was too much power to share, while the Tigers deemed it too little.* A large section of the Sinhala polity, including the leftist-nationalist Janatha Vimukthi Peramuna (JVP) which led an armed insurrection opposing it, *saw the Accord and the consequent legislation as an imprint of Indian intervention.* Though signed by the powerful President Jayawardene, it was widely perceived as an imposition by a neighbour wielding hegemonic influence. The Tamil polity, especially its dominant nationalist strain, does not find the 13th Amendment sufficient in its ambit or substance. However, some including the Tamil National Alliance (TNA) — which chiefly represented the Tamils of the north and east in Parliament in the post-war era until its setback in the recent polls — see it as an important starting point, something to build upon.

Why is the 13th Amendment significant?

Till date, the 13th Amendment represents the only constitutional provision on the settlement of the long-pending Tamil question. In addition to assuring a measure of devolution, it is considered part of the few significant gains since the 1980s, in the face of *growing Sinhala-Buddhist majoritarianism from the time Sri Lanka became independent in 1948.*

Who wants it abolished and why?

From influential Cabinet ministers in the current government to state ministers, including a former naval officer who has been assigned the Provincial Councils & Local Government portfolio, many have openly called for the abolition of provincial councils after the new government took charge. They deem the councils “white elephants”, and *argue that in a small country the provinces could be effectively controlled by the Centre. The opposition camp also includes those fundamentally opposed to sharing any political power with the Tamil minority.* All the same, all political camps that vehemently oppose the system have themselves contested in provincial council elections. The councils have over time also helped national parties strengthen their grassroots presence and organisational structures.

What is the stand of the Rajapaksas?

Neither President Gotabaya Rajapaksa nor Prime Minister Mahinda Rajapaksa has commented on the Amendment so far. During Mr. Mahinda Rajapaksa's two terms as President, for a decade from 2005, he gave several assurances to implement the 13th Amendment and go even beyond its provisions, popularly referred to as his promise of “13 plus”. The conduct of the historic Northern Provincial Election in 2013 was a welcome step, but his government was reluctant to part with land and police powers. New Delhi's scepticism about past assurances is also no secret — the U.S. Embassy cables accessed by The Hindu through WikiLeaks in 2011 affirmed this. Prime Minister Narendra Modi has referenced the Amendment more than once, especially during high-level bilateral visits, but observers in Sri Lanka wonder how far India can go on the Tamil question, amid growing geopolitical insecurities.

SRILANKA 19TH AMENDMENT



When the Sri Lankan government recently gazetted the draft 20th Amendment (20 A) to the Constitution, it was merely keeping an election promise — to repeal the *19th Amendment of 2015 that clipped the Executive President's unfettered powers, in turn empowering Parliament*. With the necessary *two-third majority on their side*, President Gotabaya Rajapaksa's government is now closer to enacting it. However, *Opposition parties are strongly opposing the move that, they fear, will take the country back by a decade, to the days of the 18th Amendment. Brought in by former President and current Prime Minister Mahinda Rajapaksa in 2010, it added wide-ranging powers and sweeping immunity to the President's office, while removing its term limit. Among the very few key features that the 20th Amendment Bill retains from the 19th Amendment are the five-year terms for the President and Parliament, and the two-term limit to presidency.* Following its parliamentary group meeting on Monday, the main Opposition party Samagi Jana Balawegaya (SJB, or United People's Front) resolved to challenge the government's move.

'Virulent form'

In addition to reducing judicial review and curbing citizens' right to challenge Bills, the proposed amendment allows the President to dissolve Parliament after one year. Further, it discards the Constitutional Council that vetted appointments to the judiciary and independent commissions, instead opting for a Parliamentary Council whose approval the President will not require while making key appointments. The prospect of significantly greater presidential powers without restraint has raised alarm within Sri Lankan civil society. The Colombo-based Centre for Policy Alternatives noted that denying the citizen the opportunity to challenge the Executive's actions through fundamental rights applications suggested that "the President is above the law". The amendment Bill underscores a "particularly virulent form of Presidentialism", said senior constitutional lawyer Kishali Pinto Jayawardene in the Sunday Times recently.

Ceremonial PM

While on the one hand, the Bill explicitly seeks to make the President way more powerful, it also drastically reduces the authority and functions of the Prime Minister, sparking speculation over the power dynamic between the ruling Rajapaksa brothers in such a scenario. The PM "has been reduced to a mere functionary consulted in most cases only "if necessary". Despite growing opposition from many quarters, the government, assured of the required numbers in the 225-member legislature, is likely to go ahead with its pledge. Asked how the SJB might oppose it, with only 54 members in the House, Mr. de Silva said the party would mobilise other parties and seek public support. "We will oppose the move inside and outside Parliament," he said. Meanwhile, Jaffna legislator and Tamil National Alliance spokesman M.A. Sumanthiran cautioned against getting trapped in the technicalities of the 19th Amendment or its likely replacement, for it might take the focus away from the historic promise to abolish Executive Presidency. Ever since the 1978 Constitution — under the United National Party (UNP) government — was enacted with a 5/6th majority in Parliament, there has been consistent opposition to Executive Presidency, from the then Opposition Sri Lanka Freedom Party (SLFP) and all other opposition parties. Even the UNP, which initially brought in such a powerful presidency, in 1996 resolved to abolish it, paying heed to the growing public opinion against the system. *Since the 1990s, almost every presidential election — including when Mahinda Rajapaksa ran in 2005 — was won on the promise of abolishing Executive Presidency, except that none of the leaders kept their word.* "The 2015 election too was fought on the same assurance by the Maithripala Sirisena-Ranil Wickremesinghe coalition. The



19th Amendment that imposed substantial curbs on presidential powers was the first step in that direction,” said Mr. Sumanthiran, a senior constitutional lawyer.

Power struggle

The Rajapaksa camp — most of whom voted in favour of the 2015 legislation — subsequently blamed the 19th Amendment for the power struggle between the President and the PM in the last government, which, they argue, led to the grave lapses in the intelligence apparatus, leading to the Easter terror blasts in April 2019. The Rajapaksas made the abolition of the 19th Amendment a key poll pledge in the November 2019 presidential race, and the August general election this year, seeking a super majority for the same. “While it is true that the draft 20th Amendment seeks to enhance executive powers, just as the 18th Amendment did, we should not lose sight of the need to abolish the extremely problematic Executive Presidency system itself. The Opposition to the draft Amendment should be centred on this,” Mr. Sumanthiran said, adding: “By focussing on the technicalities of the 19th Amendment, the Rajapaksas are trying to quietly erase the historic pledge from public discourse.”



DreamIAS

OFFICIALS OF INTERNATIONAL CRIMINAL COURT SANCTIONED BY US



Rarely does a court dispensing justice find itself at the receiving end of punishments. Yet, in a statement this week, the U.S. did in fact announce sanctions, including asset freezes and visa bans against two officials of the International Criminal Court (ICC) at the Hague. The officials were ICC prosecutor Fatou Bensouda, and the ICC's head of Jurisdiction, Complementary, and Cooperation Division, Phakiso Mochochok (who was sanctioned for having materially assisted Prosecutor Bensouda), for an investigation into alleged war crimes by U.S. forces and the Central Intelligence Agency (CIA) in Afghanistan since 2003. Announcing the decision, U.S. Secretary of State Mike Pompeo called the ICC a "thoroughly broken and corrupted institution", threatening that the U.S. will not "tolerate [the ICC's] illegitimate attempts to subject Americans to its jurisdiction". In particular, Mr. Pompeo pointed out that the U.S. had never ratified the "Rome Statute", which created the ICC in 1998, and thus was not subject to its rulings. The investigation that Ms. Bensouda began in 2017 asked for permission to investigate war crimes, extra-judicial killings, torture and targeting of civilian populations by the Taliban, Afghan forces, U.S. forces and other international militaries posted in Afghanistan after the fall of the Taliban. In her pre-trial submissions, Ms. Bensouda said there was "reasonable basis to believe that, since May 2003, members of the U.S. armed forces and the CIA have committed the war crimes of torture and cruel treatment, outrages upon personal dignity, and rape and other forms of sexual violence pursuant to a policy approved by the U.S. authorities," adding that the findings were based on the U.S. Department of Defense and Senate Intelligence committees' own findings over the years.

Blow to global order

The U.S. decision has been criticised by the UN, the EU, 10 members of the UN Security Council, including the U.K. and France, as well as several international human rights agencies, all of which have called for the sanctions to be reversed. According to them, the U.S.'s action was a setback to the international rules-based multilateral order, and the decision to sanction anybody assisting the ICC will deter victims of violence in Afghanistan from speaking out. Some pointed out that the U.S.'s unilateral sanctions would encourage other regimes accused of war crimes to flout the ICC's rulings. *The Rome Statute has been signed by 139 countries, and 123 have ratified it through their Parliaments and internal process. Although the U.S. was part of the founding movement to build the ICC to try cases of genocide and war crime, especially after the courts in Rwanda failed, it decided not to ratify the Statute in 2002. Countries like Russia, China and India, however, were never in favour of the Rome Statute or the ICC, and never signed on. For India, the decision was based on a number of principles. To start with, the ICC is a criminal court, unlike the International Court of Justice (which adjudicates on civil matters), and arrogates to itself the right to prosecute matters against countries that aren't even signatories.* "India said that the Statute gave to the UN Security Council a role in terms that violates international law by giving the power to refer cases to the ICC, the power to block such references and the power to bind non-State parties to such decisions," former Indian envoy to the UN Asoke Mukerji told The Hindu, explaining that India based its objections on the basis of the Vienna Convention on the Law of Treaties. *India also objected to the omission of cross-border terror, use of nuclear arms and weapons of mass destruction from the areas the ICC would institute its investigations.* While the U.S.'s concerns about the ICC are shared by India and other countries that weren't signatories, the U.S. action is seen as another blow to multilateralism. *In the last few years, the Trump administration has walked out of several UN agencies and international agreements, including Human Rights Council, UNESCO, the Paris climate change agreement and the Iran nuclear accord.* Particularly at a time the U.S. accuses China of disregarding international norms in the South China Sea and other areas, and of human rights violations in Xinjiang and Tibet, the U.S.'s pushback over the ICC's case in Afghanistan seems counterproductive.



FOREIGN AFFAIRS

FAILED PAKISTAN BID TO TAINT INDIA AT UN SECURITY COUNCIL

Five permanent and non-permanent members of the UN Security Council — the US, UK, France, Germany, and Belgium — blocked an attempt by Pakistan to list two Indians under a UN Security Council regime targeting international terrorism.

How did the matter come up before the UNSC's 1267 sanctions sub-committee?

Pakistan has been trying for a year now to get four Indians, who had been working in Afghanistan, sanctioned under the UN's 1267 regime. It moved separate proposals against them between September and November 2019, an extraordinarily bad year for India-Pakistan relations over three main issues: the Pulwama terrorist attack, the Balakot airstrikes and their aftermath; the designation, at long last, of Jaish-e-Muhammad leader Masood Azhar; and India's decision to strip Jammu and Kashmir of its special status, and split the erstwhile state into two Union Territories. Wednesday was the third time this year that Pakistan's efforts have been thwarted. On June 24, the US objected to a proposal by Pakistan to list one of the four Indians under 1267. And on July 16, there was a second block on a Pakistani proposal to list another one of the Indians.

But why did Pakistan want to get these Indians sanctioned by the UN?

The 1267 Committee was first set up in 1999, and strengthened by a series of resolutions in the months and years after the September 11, 2001 attacks. It is now known as the Da'esh and Al Qaeda Sanctions Committee. Islamabad has for years accused India of fomenting terrorism inside Pakistan through Afghanistan, an allegation India rejects. Pakistan attempted to drive home its point to the international community after it captured, in March 2016, the retired Indian Navy officer Kulbhushan Jadhav and, a year later, sentenced him to death on charges of "espionage and terrorism". India, however, won a legal and diplomatic victory at the International Court of Justice in July 2019. *The 1267 list of terrorists is a global list, with a UNSC stamp.* It is full of Pakistani nationals and residents, and Pakistan would like to get a few Indians on it as well.

Who are the four Indians that Pakistan had targeted?

On September 2, Pakistan tried to get on the sanctions list Appaji Angara and Gobinda Patnaik Duggivasala.

What is the process by which people are listed under UNSC 1267?

Any member state can submit a proposal for listing an individual, group, or entity. The 1267 Committee, which comprises all permanent and non-permanent members of the UNSC, meets as required with a notice of four working days. *Decisions on listing and de-listing are adopted by consensus.* Any proposal for listing must meet set criteria. The proposal must include acts or activities indicating the proposed individual/group/entity had participated "in the financing, planning, facilitating, preparing, or perpetrating of acts or activities" linked to "ISIL (Da'esh), Al-Qaida or any cell, affiliate, splinter group or derivative thereof". Under the Committee's guidelines, the "detailed statement of case in support of the proposed listing" should provide "as much detail as possible on the basis(es) or justification for the listing", including specific findings and supporting evidence. The proposal is sent to all the members, and if no member objects within



five working days, the proposal is adopted. An “*objection*” means curtains for the proposal. Any member of the Committee may also put a “*technical hold*” on the proposal, and ask for more information from the proposing member state. During this time, other members may also place their own holds. The matter remains on the “pending” list of the Committee until such time as the member state that has placed the hold decides to turn its decision into an “objection”, or until all those who have placed holds remove them within a timeframe laid down by the Committee. *Pending issues must be resolved in six months, but the member state that has placed the hold may ask for an additional three months. At the end of this period, if an objection is not placed, the matter is considered approved. There was a technical hold on Venumadhav Dongara’s proposed listing last year, which the US objected to this year, effectively blocking the proposal. There were holds on the proposal about Ajoy Mistry as well, which was blocked in July due to objections by the US, UK, France, Germany, and Belgium. These same countries had placed a technical hold on the proposed listing of Duggivasala and Appaji as well, and blocked it.*

INDIA-CHINA: ON BRINK OF WAR?

With the tensions along the Line of Actual Control (LAC) refusing to die down, despite the marathon military and diplomatic-level talks, the obvious question that stares at every stakeholder is this: is 2020 another 1962? While the future is uncertain, the present is undoubtedly tense. As stated by India’s External Affairs Minister, S. Jaishankar, this is “surely the most serious situation” along the India-China border “after 1962”. The parallels are hard to ignore. *In August 1959, after the first border clash between Indian and Chinese troops in **Longju**, in the eastern sector, China said Indian troops had crossed the McMahon Line and opened fire, and the Chinese border guards had fired back. The next day, New Delhi protested against the Chinese statement, saying it was Chinese troops that had moved into Indian territory and opened fire. When the Longju incident happened, not many in India might have thought the border tensions would lead to a full-scale Chinese invasion. Prime Minister Jawaharlal Nehru and Defence Minister V.K. Krishna Menon were absolutely certain that China would not attack India. Nehru had betted big on India’s friendship with China. He saw both countries as victims of imperialism and the natural leaders of Asia. The realist in Nehru believed that peace on India’s northern border was an imperative for the newly-born republic’s rise and material development. So in the 1950s, Nehru continued to defend China in international fora. India accepted Chinese sovereignty over Tibet and signed an agreement with Peking over trade with Tibet. But what Nehru hoped in return for India’s friendship was China respecting its bequeathed boundaries — the McMahon Line in the east and the frontier (based on the 1842 Tibet-Kashmir agreement) in the west. Nehru was wrong. The first setback to this position was the Longju incident. Within two months, an Indian police patrol team in **Kongla Pass** in Ladakh came under Chinese attack. This was a wake-up call for Nehru. He asked Chinese troops to withdraw from Longju in return for an assurance from India not to reoccupy the area and proposed that both sides pull back from the disputed Aksai Chin, where China had already built (unilaterally) a strategic highway. China rejected this proposal and made a counter offer — to recognise the McMahon Line in the east in return for India’s recognition of Chinese sovereignty over Aksai Chin. Nehru, having checked the historical maps, documents, including revenue records and land surveys, which he got from the India Office in London, rejected the Chinese offer because he thought it would mean India abandoning its legitimate claims over Aksai Chin. After the collapse of the **Nehru-Zhou Enlai [Chou en Lai] talks in 1960 in Delhi**, tensions escalated fast. China intensified patrolling along the border. In November 1961, Nehru ordered his Forward Policy as part of which India set up patrol*



posts along the LAC, which was seen as a provocation in Beijing. In October 1962, Mao Zedong ordered the invasion.

The parallels

The situation today is not exactly the same as 1962. Back then, the Tibet factor was looming over India-China ties. *As soon as the Dalai Lama took refuge in India, Chinese leaders, including Deng Xiaoping, had threatened "to settle accounts" with the Indians "when time comes". China also feared that India was providing help to Tibetan rebels, after the 1959 rebellion.* Today, both sides have managed to sidestep the Tibetan question in their bilateral engagement. And unlike in 1962, when India was not politically and militarily prepared for a war with China, today's conflict is between two nuclear powers. But the problem is this; while the overall situation is different, the border conflict looks similar to what it was in the late 1950s and early 1960s. *The boundary has still not been delimited and demarcated. China has not recognised the McMahon Line and India has not accepted China's control over Aksai Chin.* Despite the volatile situation, an uneasy truce prevailed on the border at least since 1975 and both sides have made improvements in ties since Prime Minister Rajiv Gandhi's visit to Beijing in 1988. This period of truce allowed both countries to focus on their development. But that truce has now been disrupted with China first moving to block Indian patrolling in the Finger area of Pangong Tso and the Galwan Valley in eastern Ladakh during the summer. *India then made a forward move on the southern banks of Pangong Tso last month, similar to Nehru's Forward Policy in 1961, taking over the heights of the Kailash Range. When Nehru ordered the Forward Policy, his aim was to secure the vast border and prevent further incursions. He never thought China would attack. Now, despite the experience of 1962, India appears to be taking a calculated risk by making forward movements. This led to the opening of fire in the region, for the first time in 45 years. So, practically, the border situation is back to what it was in 1961.*

Understanding China's moves

The Chinese strategy today is not very different from that of the 1960s. Now, China considers that it has arrived on the global stage as a military and economic superpower. The COVID-19 outbreak has battered its economy, but it is recovering fast. India, on the other side, is in a prisoner's dilemma on how to tackle China. India is a big, rising power, but is going through short-term challenges. Its economy is weak. Its geopolitical standing in the neighbourhood is not in its best days. Unlike in the 1960s, when Nehru's non-alignment was blamed for Chinese aggression, today's India has cautiously moved toward the United States. But still, there is no guarantee that it would deter China or if the U.S. would come to India's help in the event of a war. A combination of all these factors might have led China to believe that it can play the game of strategic dominance once again. If India plays it on China's terms, there will be war. The question is whether it should walk into the trap laid in the Himalayas, or learn from the experiences of 1962.

'CHINA CONTROLS 1,000 SQ. KM IN LADAKH'

About 1,000 square kilometres of area in Ladakh along the Line of Actual Control (LAC) is now under Chinese control, intelligence inputs provided to the Centre suggest. China has been amassing troops and fortifying its presence along the LAC since April-May. Twenty soldiers were killed on June 15 in the Galwan Valley in eastern Ladakh in violent clashes with China's People's Liberation Army (PLA) troops. A senior government official told The Hindu that from Depsang



Plains to Chushul there had been a systematic mobilisation by the Chinese troops along the undefined LAC. The official revealed that in *Depsang Plains*, from patrolling point 10-13, the scale of Chinese control of India's perception of the LAC stood at about 900 sq. km. About 20 sq. km in *Galwan Valley* and 12 sq. km in *Hot Springs* area is said to be under Chinese occupation, the official said. In *Pangong Tso*, the area under Chinese control is 65 sq. km, whereas in *Chushul* it is 20 sq. km, the official said. The standoff at the China border continues even after several rounds of diplomatic and military level talks. A partial disengagement commenced after Special Representatives (SRs) Ajit Doval and Wang Yi, tasked to hammer out a solution to the boundary dispute, spoke on July 5.

Buffer zones

However, as per the agreement, Indian troops also moved back from their existing positions leading to creation of buffer zones at all the disputed sites. Chinese forces are occupying a considerable area from Finger 4 to 8 near Pangong Tso (lake). The distance between Finger 4-8, the mountainous spurs abutting the lake, is about 8 km. The stretch was patrolled both by India and China till May and India considers it to form part of its perception of the LAC.

WHAT IS THE IMPORTANCE OF LADAKH'S PANGONG TSO'S SOUTH BANK?

The Indian Army thwarted an attempt by China to change the status quo near the Line of Actual Control (LAC) by deploying its troops to a previously un-deployed area on the southern bank of the Pangong Tso Lake in eastern Ladakh. The Army said in a statement on Monday morning that Chinese troops "violated the previous consensus arrived at during military and diplomatic engagements during the ongoing standoff in Eastern Ladakh and carried out provocative military movements to change the status quo". While the Pangong Lake has been among the most contentious sectors in the ongoing military standoff in eastern Ladakh for nearly four months now, the activity until now had been restricted to the northern bank.

What is Pangong Lake?

*Made popular by the Hindi film 3 Idiots, Pangong Tso is an endorheic lake (landlocked) that is partly in India's Ladakh region and partly in Tibet. The name reflects the mixed heritage of the lake: Pangong in Ladakhi means extensive concavity, the word Tso is Tibetan for lake. Situated at an elevation of about 4,270 m, it is a nearly 135-km long, narrow lake — 6 km at its widest point — and shaped like a boomerang. Its total area is over 600 sq. km. **The Karakoram Mountain range, which crosses Tajikistan, Afghanistan, Pakistan, China and India, with heights of over 6,000 metres including K2, the world's second highest peak, ends at the north bank of Pangong Tso. Its southern bank too has high broken mountains sloping towards Spangur Lake in the south. The lake's water, while crystal clear, is brackish, making it undrinkable. The lake freezes during the winter, allowing some vehicular movement on it as well.***

Who controls Pangong Tso?

Nearly two-thirds of the lake is controlled by China, with just about 45 km under Indian control. The LAC, running north-south, cuts the western part of the lake, aligned east-west. But India and China have unsettled borders, and the perception of the LAC differs in multiple sectors, including on Pangong Tso. *At the lake's north bank, according to India, the international boundary is close to Khurnak Fort, a 19th-century ruin. But the LAC, according to India, is around 15 km west. On the*



north bank are spurs that jut into the lake, identified as fingers. India says the LAC passes through Finger 8; China claims it is farther west. Compared to the north bank, the difference in perception of the LAC is not very wide in the south bank. A former brigade commander from the region said the perception may differ by 100 to 200 m, and lacks prominent features like fingers. These “differing perceptions of the LAC”, as the Army has called it, are one of the main causes of face-offs.

What is the current status of Pangong Tso?

The north bank was one of the two points in eastern Ladakh that saw friction in early May that led to the standoff that is now nearly four months old. On the night of May 5-6, troops were involved in violent hand-to-hand fights, though Chinese soldiers were armed with rods and nail-studded batons. There was a similar fight in Galwan Valley on May 6. However, these violent face-offs did not result in any fatalities, *unlike the June 15 clash in Galwan Valley in which India lost 20 soldiers and an undeclared number of Chinese troops were also killed. Since then China changed the status quo and its troops had occupied the region between Finger 8 and Finger 4, which was patrolled by both but occupied by neither side earlier. Chinese troops continue to occupy the Finger 4 ridgeline, though they have stepped back from the base of Finger 4 to the base of Finger 5.* But China has fortified its positions in the area. The slight rearward movement was part of the initial disengagement process after the June 15 clashes. However, there has not been any improvement in the situation since mid-July and the talks are stuck in a stalemate.

How are the two banks different?

Until this weekend, the south bank had been quiet during the standoff. Army sources said India has traditionally had a stronger presence in the southern bank compared to the north bank, because of its proximity to areas like Chushul and Rezang La. The former brigade commander explained that the north bank has come into the limelight only in the last few years, due to clashes between patrolling units. *Traditionally the southern bank has been in the limelight, because it is just north of the Chushul approach. This is also the reason why the south bank has traditionally had a stronger presence of Indian forces. The region south of the lake is also strategically important for both countries. The area, known as the Chushul approach, is one of the few sectors that can be used as launchpads for an offensive, because of the plains.* During the 1962 conflict, both banks witnessed a Chinese offensive, and India lost territory on both — first Sirijiap, then the entire north bank by October 22; on the south bank India had to abandon its complex of posts in Yula, and move to a high area north of Gurung Hill. Over the weekend, the Army mentioned that Indian troops “pre-empted this PLA activity on the Southern Bank of Pangong Tso Lake, undertook measures to strengthen our positions and thwart Chinese intentions to unilaterally change facts on ground”. India has occupied a more advantageous position, though still on its side of the LAC, to prevent China from any intrusions in the area.

WHAT IS THE SPECIAL FRONTIER FORCE, REFERRED TO AS VIKAS BATTALION?

There have been reports that a Special Frontier Force (SFF) unit, referred to as Vikas Battalion, has been instrumental in occupying some key heights on the Line of Actual Control (LAC) with China in Ladakh to thwart any occupation by the Chinese troops. Here is a look at what the mysterious SFF comprises and their historic role in the Indian military.

What is the Special Frontier Force (SFF)?



*SFF was raised in the immediate aftermath of the 1962 Sino-India war. It was a covert outfit which recruited Tibetans (now it has a mixture of Tibetans and Gorkhas) and initially went by the name of **Establishment 22**. It was named so because it was raised by Major General Sujan Singh Uban, an Artillery officer who had commanded 22 Mountain Regiment. He, therefore, named the new covert group after his regiment. Subsequently, the group was renamed as Special Frontier Force and it now falls under the purview of the Cabinet Secretariat where it is headed by an Inspector General who is an Army officer of the rank of Major General. The units that comprise the SFF are known as **Vikas battalions**. Former Chief of Army Staff, General Dalbir Singh held that office at one point while in his service.*

Are SFF units part of the Army?

Strictly speaking, the SFF units are not part of the Army but they function under operational control of the Army. The units have their own rank structures which have equivalent status with Army ranks. However, they are highly trained special forces personnel who can undertake a variety of tasks which would normally be performed by any special forces unit. The SFF units, therefore, function virtually as any other Army unit in operational areas despite having a separate charter and history. They have their own training establishment where the recruits to SFF are imparted special forces training. Incidentally, women soldiers too form a part of SFF units and perform specialised tasks.

What are the major operations in which SFF units has taken part?

There are several overt and covert operations in which SFF units have taken part over the years. *They took part in operations in the 1971 war, Operation Blue Star in Golden Temple Amritsar, Kargil conflict and in counter-insurgency operations in the country.* There are several other operations too in which the SFF has participated but the details are classified.

What was the SFF role in 1971 war?

In 1971, the SFF operated in the Chittagong hill tracts in East Pakistan (later Bangladesh) to neutralise Pakistan Army positions and help the Indian Army advance ahead. The operation was code-named 'Operation Eagle'. They were airlifted into operational areas and infiltrated behind enemy lines to destroy lines of communication of Pakistan Army. They also played a vital role in preventing the escape of Pakistan Army personnel from Bangladesh into Burma (now Myanmar). By one estimate more than 3,000 SFF personnel were used in the covert operations in the eastern theatre of the 1971 war. A large number of SFF personnel received awards for their bravery.

WHAT THE OPENING OF WATERWAY WITH BANGLADESH MEANS FOR TRIPURA

As Tripura opens its first-ever inland waterway with Bangladesh from Sonamura in Sepahijala district, along with the expectations and hopes, there are also questions around the ambitious project and its trade potential. *The route connecting Sonamura, about 60 km from Agartala in the Indian side, and Daudkandi of Chittagong in Bangladesh was included in the list of Indo-Bangladesh Protocol (IBP) routes agreed up on May 20 this year.* The ambitious project has already been projected by Tripura's incumbent BJP-IPFT government as a major catalyst to catapult Tripura into a gateway to the North-East. *A big boat carrying 50 MT cement from Bangladesh's Munshiganj port is scheduled to come in as part of the trial run.*



Tripura's foreign trade

Tripura's cross-border trade commenced in 1995. Currently, the state exports a handful of goods and materials worth Rs 30 crore to Bangladesh annually, but imports good worth Rs 645 crore. This huge trade deficit is due to abnormally high import duty apparatus in Bangladesh and the absence of many commodities abundant in the state in the list of goods allowed for export as well as port restrictions. Consecutive state governments have nudged Dhaka to smoothen processes for flow of goods. Now, the forthcoming *Agartala-Akhaura rail project, Indo-Bangla bridge over River Feni* and a second Integrated Check Post (ICP) at Sabroom are also aimed at taking up the quantum of trade between the two sides.

Tripura's first Inland waterway

Soon after Chief Minister Biplab Kumar Deb assumed office in March 2018, expert teams from the Inland Waterways Authority of India (IWAI), Land Port Authority of India (LPAI) and local authorities held a series of visits and studied the feasibility of launching inland waterways connectivity on *River Gomati. The river connects with Meghna in Bangladesh via a 90-km stretch of water from Sonamura till Daudkandi. The plan included dredging the riverbed to make way for small ship and boats from Sonamura till Ashuganj river port in Bangladesh, 60 km away.* Dredging was deemed necessary given the shallow depth of riverbed and constant sedimentation in the areas where the river meanders below hills.

Making Gomati navigable

River Gomati is the largest and longest river of Tripura with cumulative length of 180 km. It is also considered a sacred river and devotees converge along its banks at Tirthmukh every Makar Sankranti. Gomati is also a regulated river. Due to the high altitude of in its upper catchment and Dumbur dam built in 1974 as part of the Gumti hydro-electric power project, the river erodes a lot of sand and rocky particles in its upper segment. The flow slows down a lot after it reaches the plains and at Maharani barrage in Gomati district, a large volume of the water is extracted for irrigation and is held back for beautification of Dumbur dam as a tourist spot. A river needs at least 4-5 feet depth for goods carriers to navigate on a regular basis. Gomati riverbed remains navigable for less than four months a year, that too only during monsoon days. For rest of the year, scanty rainfall in the hills results in low volume while accumulating sediments raise the average riverbed, rendering Gomati even shallower. In comparison, the inland waterway route with Bangladesh at Karimganj in Assam operates small ships to large boats for nearly six months a year. As an alternate to dredging and long-term solution, planting water-resistant vetiver grass and bamboo along its banks to prevent erosion along with small check-dams and some regulated dredging may be done.

NATIONAL

SMOTHERING THE HOUSING RIGHTS OF THE URBAN POOR (MATHEW IDICULLA - LAWYER AND RESEARCHER ON URBAN ISSUES AND A CONSULTANT WITH THE CENTRE FOR LAW AND POLICY RESEARCH)

In a short order (<https://bit.ly/3hktF2F>) with devastating consequences, the Supreme Court of India on August 31 ordered the removal of about 48,000 slum dwellings situated along the railway tracks in Delhi. A three-judge Bench headed by Justice Arun Mishra, in one of his last orders before



his retirement, directed State authorities to remove the jhuggi jhopri clusters in the railway safety zone within a period of three months. *Most shockingly, the order stated that “no Court shall grant any stay with respect to removal of the encroachments” and in case any such interim order is granted “that shall not be effective”.* Relying on an affidavit filed by the Railways, the Court observed that there is a “predominant presence” of slums in close vicinity of the 140 km-long railway line in Delhi. It noted that while the National Green Tribunal had constituted a special task force for the removal of encroachments from railway property — “There seems to be some political intervention against removal of such encroachments”. The Court ordered that these “encroachments” should be removed within three months and “no interference, political or otherwise, should be there.”

A flawed order

The Supreme Court order which seeks to summarily demolish informal settlements of poor urban residents is deeply disturbing and raises serious legal questions. *The order is fundamentally flawed because the Court has ignored principles of natural justice, judicial precedents on the right to shelter, and state policies governing evictions. The order violates principles of natural justice and due process since it decided on the removal of jhuggi jhopris without hearing the affected party, the jhuggi dwellers.* The order was passed in the long-running case, M.C. Mehta vs. Union of India & Ors., regarding pollution in Delhi and was in response to a report by Environment Pollution (Prevention & Control) Authority for the National Capital Region on the piling up of garbage along railway tracks. However, neither this case nor the report concerns itself with the legality of informal settlements. Still, the Court made an unconvincing connection between the piling of garbage and the presence of slums and gave an eviction order without giving the residents a fair hearing. *The Court ignored its long-standing jurisprudence on the right to livelihood and shelter upheld in various judgments.*

Evictions amid pandemic

The Supreme Court order that threatens to leave lakhs of people homeless amid a health and economic emergency is callous and unconscionable. As the pandemic makes urban informal livelihoods more vulnerable, the UN Special Rapporteur on the right to adequate housing has called on member-states to declare an end to forced evictions. However, as in a recent report of the Housing and Land Rights Network (HLRN), over 20,000 people were displaced in 45 incidents of forced evictions between March 25 and July 31, when India was under lockdown. Over the last three years, over five lakh people have been evicted, most often for various “city beautification” projects. The courts have also played an active role in such demolition drives, often under the premise of environmental protection. The present order follows the trajectory of court-led evictions, highlighted by Anuj Bhunia in his book, *Courting the People: Public Interest Litigation in Post-Emergency India*, whereby the court admits a Public Interest Litigation (PIL), ignores the specific issues and proceeds on a tangential topic, relies on reports of court-appointed committees and orders the demolition of slums, often without hearing the affected population. This represents a dangerous turn of PIL jurisprudence whereby its procedural relaxations are used to deny principles of natural justice to the most marginalised groups. The promise of the right to housing offered by Sudama Singh and Ajay Maken is now being undone by an insidious and legally dubious order that pre-empts other courts from giving orders to stop the eviction. The Court disdainfully refers to how “political interference” does not allow “encroachments” to be evicted. However, it is often through such political negotiations that residents of informal settlements incrementally



make claims on housing and exercise their “Right to the City”. These residents would now need to employ a combination of political and legal strategies to protect their housing rights and ensure that no eviction or rehabilitation is conducted without their prior informed consent.

COURT STAYS MARATHA QUOTA, SENDS PLEA TO STATUTE BENCH

*The Supreme Court referred to a Constitution Bench the question of whether states can exceed the 50% limit on quotas that was set by a nine-judge Bench in the landmark *Indra Sawhney vs Union of India (1992)* case. The question will now be taken up by a Bench comprising at least 11 judges.*

Case in Supreme Court

A Bench of Justices L Nageswara Rao, Hemant Gupta, and S Ravindra Bhat heard a batch of petitions challenging reservations for Marathas in education and jobs in Maharashtra. *The petitions appealed a 2019 Bombay High Court decision that upheld the constitutional validity of the Maratha quota under the Socially and Educationally Backward Classes (SEBC) Act, 2018.* The Bench also heard a petition challenging admission to postgraduate medical and dental courses under the quota in the state.

Bombay HC ruling

A Division Bench of the High Court ruled last year that the 16% quota granted by the state was not “justifiable”, and reduced it to 12% in education and 13% in government jobs, as recommended by the Maharashtra State Backward Class Commission (MSBCC). The Bench ruled that “the limit of reservation should not exceed 50%”; however, “in exceptional circumstances and extraordinary situations, this limit can be crossed subject to availability of quantifiable and contemporaneous data reflecting backwardness, inadequacy of representation and without affecting the efficiency in administration”. The court relied heavily on the findings of the 11-member MSBCC, which submitted in November 2018 that the Maratha community is socially, economically and educationally backward.

Existing reservation

Following the 2001 State Reservation Act, the total reservation in Maharashtra was 52%: Scheduled Castes (13%), Scheduled Tribes (7%), Other Backward Classes (19%), Special Backward Class (2%), Vimukti Jati (3%), Nomadic Tribe B (2.5%), Nomadic Tribe C-Dhangar (3.5%) and Nomadic Tribe D-Vanjari (2%). The quotas for Nomadic Tribes and Special Backward Classes have been carved out of the total OBC quota. With the addition of 12-13% Maratha quota, the total reservation in the state went up to 64-65%. The 10% quota for Economically Weaker Sections (EWS) announced by the Centre last year is also effective in the state.

The Marathas

The Marathas are a politically dominant community who make up 32% of Maharashtra’s population. They have historically been identified as a ‘warrior’ caste with large landholdings. Eleven of the state’s 19 chief ministers so far have been Marathas. While division of land and agrarian problems over the years have led to a decline of prosperity among middle- and lower middle-class Marathas, the community still plays an important role in the rural economy. The discontent in the community could spill over into protests and unrest if the quota issue is not resolved soon. In 2016-17, the Maratha Kranti Morcha (MKM) led 58 silent protests demanding



reservations. The second phase of the protest saw a spate of suicides. The backward Marathwada region was the worst affected by the protests.

Political pulls, pressures

All three parties in the ruling coalition, the Congress, NCP, and Shiv Sena, are in favour of the Maratha quota. The sub-committee for Maratha reservation headed by Ashok Chavan has maintained they had recruited the best lawyers to plead their case in the SC. The state government can be expected to explore all options to restore the quota. The MKM has termed the stay on quota as “extremely unfortunate”. The organisation holds the government responsible for not presenting their case well before the apex court. The opposition BJP has seen a political opportunity, and would be gearing up to use the developments to consolidate its political base amongst the Maratha community, and make inroads into Congress and NCP bastions in Western Maharashtra and Marathwada. Vanchit Bahujan Aghadi president Prakash Ambedkar said the court’s order does not impact OBCs, who were never against Maratha reservation. However, reservation for Marathas should not be at the cost of the existing quota for OBCs.



DreamIAS



OBC SUB-CATEGORISATION: FINDINGS, PROGRESS BY A PANEL SO FAR

A Constitution Bench of the Supreme Court reopened the legal debate on sub-categorisation of Scheduled Castes and Scheduled Tribes for reservations, referring the issue to a larger Bench to decide. While this concerns SCs and STs, a Commission has been examining sub-categorisation of Other Backward Classes (OBC) for almost three years now.

What is sub-categorisation of OBCs?

OBCs are granted 27% reservation in jobs and education under the central government. The question of sub-categorisation arises out of the perception that only a few affluent communities among the over 2,600 included in the Central List of OBCs have secured a major part of this 27% reservation. The argument for sub-categorisation — or creating categories within OBCs for reservation — is that it would ensure “equitable distribution” of representation among all OBC communities.

Who is examining sub-categorisation?

The Commission to Examine Sub-categorisation of Other Backward Classes took charge on October 11, 2017. It is headed by retired Delhi High Court Chief Justice G Rohini, includes Centre for Policy Studies director Dr J K Bajaj as member, and has two other ex-officio members. Initially constituted with a tenure of 12 weeks ending January 3, 2018, it was granted an extension recently. Until November 2019, the government has spent over ₹1.70 crore on the Commission including salary and other expenses.

What are its terms of references?

It was originally set up with three terms of reference:

- * To examine the extent of inequitable distribution of benefits of reservation among the castes or communities included in the broad category of OBCs with reference to such classes included in the Central List;
- * To work out the mechanism, criteria, norms and parameters in a scientific approach for sub-categorisation within such OBCs;
- * To take up the exercise of identifying the respective castes or communities or sub-castes or synonyms in the Central List of OBCs and classifying them into their respective sub-categories.

A fourth was added on January 22, 2020, when the Cabinet granted it an extension:

- * To study the various entries in the Central List of OBCs and recommend correction of any repetitions, ambiguities, inconsistencies and errors of spelling or transcription.

The fourth term of reference was added following a letter to the government from the Commission on July 30, 2019. “In process of preparing the sub-categorised central list of OBCs, the Commission has noted several ambiguities in the list as it stands now. The Commission is of the opinion that these have to be clarified/rectified before the sub-categorised central list is prepared,” the Commission wrote.

What progress has it made so far?



In its letter to the government on July 30, 2019, the Commission wrote that it is ready with the draft report. This could have huge political consequences and is likely to face a judicial review. The current tenure of the Commission ends on January 31, 2021. Its budget is being drawn from the National Commission for Backward Classes (NCBC) which was given constitutional status by the government in 2018.

What have its findings been so far?

In 2018, the Commission analysed the data of 1.3 lakh central jobs given under OBC quota over the preceding five years and OBC admissions to central higher education institutions, including universities, IITs, NITs, IIMs and AIIMS, over the preceding three years. The findings were:

- * 97% of all jobs and educational seats have gone to just 25% of all sub-castes classified as OBCs;
- * 24.95% of these jobs and seats have gone to just 10 OBC communities;
- * 983 OBC communities — 37% of the total — have zero representation in jobs and educational institutions;
- * 994 OBC sub-castes have a total representation of only 2.68% in recruitment and admissions

What is the level of OBC recruitment in central jobs?

As per the 2018-19 annual report of the Department of Personnel and Training (accessed online on August 28, 2020), *OBC representation is 13.01% in group-A central government services, 14.78% in group-B, 22.65% in group-C (excluding safai karmacharis) and 14.46% in group-C (safai karmacharis)*. According to an RTI-based report published in The Indian Express last year, there was not a single professor and associate professor appointed under the OBC quota in central universities. The data showed that 95.2% of the professors, 92.9% of associate professors and 66.27% of assistant professors were from the general category (which may also include SCs, STs and OBCs who had not availed the quota). At assistant professor level, representation of OBCs was just 14.38%. In a meeting with the NCBC on July 21, Home Minister Amit Shah was told that a number of posts reserved for OBCs were being filled by people of general category as OBC candidates were declared “NFS” (None Found Suitable). As reported in The Indian Express quoting sources, Shah has asked the NCBC to collect countrywide data.

How do these data compare with OBCs’ share in the population?

A hurdle for the Commission has been the absence of data for the population of various communities to compare with their representation in jobs and admissions. Sources said the data of Socio Economic Caste Census (SECC) were not considered reliable. The Commission wrote to Minister of Social Justice and Empowerment Thawar Chand Gehlot on December 12, 2018, with a request for an appropriate Budget provision for a proposed all-India survey for an estimate of the caste-wise population of OBCs. But on March 7, 2019 (three days before the Lok Sabha poll schedule was announced), Justice Rohini wrote to Gehlot: “We have now decided not to undertake such survey at this stage.” On August 31, 2018, then Home Minister Rajnath Singh had announced that in Census 2021, data of OBCs will also be collected, but since then the government has been silent on this.

IN SC READING OF BASIC STRUCTURE, THE SIGNATURE OF KESAVANANDA BHARATI



The landmark ruling in which the Supreme Court announced the basic structure doctrine was in the case of His Holiness Kesavananda Bharati Sripadagalvaru and Ors v State of Kerala. Kesavananda Bharati, the man who lent his name to this iconic case as the petitioner, died on Sunday. The ruling is considered among the most consequential decisions by the Supreme Court as it set out the “basic structure” of the Constitution that Parliament cannot amend.

Who was Kesavananda Bharati?

Kesavananda Bharati was the head seer of the Edneer Mutt in Kasaragod district of Kerala since 1961. He left his signature in one of the significant rulings of the Supreme Court when he challenged the Kerala land reforms legislation in 1970. A 13-judge Bench was set up by the Supreme Court, the biggest so far, and the case was heard over 68 working days spread over six months. The Bench gave 11 separate judgments that agreed and disagreed on many issues but a majority judgment of seven judges was stitched together by then Chief Justice of India S M Sikri on the eve of his retirement. However, the basic structure doctrine, which was evolved in the majority judgment, was found in the conclusions of the opinion written by one judge — Justice H R Khanna.

What was the case about?

The case was primarily about the extent of Parliament’s power to amend the Constitution. First, the court was reviewing a 1967 decision in Golaknath v State of Punjab which, reversing earlier verdicts, had ruled that Parliament cannot amend fundamental rights. Second, the court was deciding the constitutional validity of several other amendments. Notably, the right to property had been removed as a fundamental right, and Parliament had also given itself the power to amend any part of the Constitution and passed a law that it cannot be reviewed by the courts. The executive vs judiciary manoeuvres displayed in the amendments ended with the Kesavananda Bharati case, in which the court had to settle these issues conclusively. Politically, the case represented the fight for supremacy of Parliament led by then Prime Minister Indira Gandhi.

What did the court decide?

In its majority ruling, the court held that fundamental rights cannot be taken away by amending them. *While the court said that Parliament had vast powers to amend the Constitution, it drew the line by observing that certain parts are so inherent and intrinsic to the Constitution that even Parliament cannot touch it. However, despite the ruling that Parliament cannot breach fundamental rights, the court upheld the amendment that removed the fundamental right to property.* The court ruled that in spirit, the amendment would not violate the “basic structure” of the Constitution. *Kesavananda Bharati, in fact, lost the case. But as many legal scholars point out, the government did not win the case either.*

What is the basic structure doctrine?

The origins of the basic structure doctrine are found in the German Constitution which, after the Nazi regime, was amended to protect some basic laws. The original Weimar Constitution, which gave Parliament to amend the Constitution with a two-thirds majority, was in fact used by Hitler to his advantage to made radical changes. Learning from that experience, the new German Constitution introduced substantive limits on Parliament’s powers to amend certain parts of the Constitution which it considered ‘basic law’. In India, the basic structure doctrine has formed the bedrock of judicial review of all laws passed by Parliament. No law can impinge on the basic



structure. What the basic structure is, however, has been a continuing deliberation. While parliamentary democracy, fundamental rights, judicial review, secularism are all held by courts as basic structure, the list is not exhaustive.

What was the fallout of the verdict?

Politically, as a result of the verdict, the judiciary faced its biggest litmus test against the executive. The Indira Gandhi-led government did not take kindly to the majority opinion and superseded three judges — J M Shelat, A N Grover and K S Hegde — who were in line to be appointed CJI after Justice Sikri. Justice A N Ray, who had dissented against the majority verdict, was instead appointed CJI. The supersession resulted in a decades-long continuing battle on the independence of the judiciary and the extent of Parliament's power to appoint judges. But the ruling has cemented the rejection of majoritarian impulses to make sweeping changes or even replace the Constitution and underlined the foundations of a modern democracy laid down by the makers of the Constitution.

SC TO CENTRE: ADHERE TO MINISTRY CIRCULAR ON ROADS IN CHAR DHAM

The Supreme Court ordered the Centre to adhere to a Union Road Ministry circular of March 2018, which had advised against building full-fledged roads cutting across the fragile Himalayan slopes, while implementing the ₹12,000-crore ambitious Char Dham project for better connectivity to pilgrimage centres in Uttarakhand. A Bench led by Justice Rohinton Nariman also directed the government to undertake reforestation of the area to make up for the loss of green cover caused by the construction.

Widening of roads

The project had proposed the widening of single-lane roads into double-lanes by up to 10 metres, developing the highways and thereby improving access to the Char Dham (four shrines) — *Yamunotri, Gangotri, Badrinath and Kedar Nath*. Environmentalist groups, led by the Dehradun-based Citizens for Green Doon, had moved the apex court after they failed in the National Green Tribunal (NGT). The petitioners had contended that the project was proceeding without environmental clearances and the debris was being disposed haphazardly. Earlier, the NGT had found no need for an environmental clearance. The petitioners had informed the apex court about the extensive excavation of the eco-sensitive landscape for the project. They had contended that the project, which extends across nearly 900 km of hilly roads, was an environmental threat. The government had said the programme for development of road connectivity was launched by the Prime Minister on December 27, 2016. It had said most of the project works were sanctioned before the issuance of the Ministry's circular on March 23, 2018.

GOVT. SUSPENDS FCRA CLEARANCE OF FOUR CHRISTIAN GROUPS

Of the six NGOs whose licence under the Foreign Contribution Regulation Act (FCRA) was suspended by the Union Home Ministry this year, four are Christian associations. An FCRA licence is mandatory for a non-profit organisation to receive foreign funds. At least two U.S.-based Christian donors are also under the Ministry's scanner for funding NGOs and groups here, a senior government official said.

Probe under way



The four groups whose licence was suspended are Ecreosoculis North Western Gossner Evangelical in Jharkhand, the Evangelical Churches Association in Manipur, the Northern Evangelical Lutheran Church in Jharkhand and the New Life Fellowship Association (NLFA) in Mumbai. The reasons for the suspension or violation was not specified. The Bajrang Dal, the youth wing of the Vishwa Hindu Parishad, had obstructed prayer meetings organised by the NLFA in Mumbai in April and September last year. It alleged that the meeting was a pretext for religious conversion, and later submitted a complaint to the police. The FCRA licence of NLFA was suspended on February 10, according to Home Ministry data.

WHAT CONSTITUTES A BREACH OF LEGISLATURE'S PRIVILEGE?

A motion for breach of privilege was moved in the Maharashtra Assembly against Republic TV's Managing Director and Editor-in-Chief Arnab Goswami on September 8. A similar motion was moved in the Maharashtra Legislative Council against actor Kangana Ranaut. The truncated two-day Monsoon Session having ended, the motions could not be taken up by the lawmakers.

Which provisions of the Constitution protect the privileges of the legislature?

The powers, privileges and immunities of either House of the Indian Parliament and of its Members and committees are laid down in Article 105 of the Constitution. Article 194 deals with the powers, privileges and immunities of the State Legislatures, their Members and their committees. Parliamentary privilege refers to the right and immunity enjoyed by legislatures, in which legislators are granted protection against civil or criminal liability for actions done or statements made in the course of their legislative duties.

What constitutes a breach of this privilege?

While the Constitution has accorded special privileges and powers to parliamentarians and legislators to maintain the dignity and authority of the Houses, these powers and privileges are not codified. Thus, ***there are no clear, notified rules to decide what constitutes a breach of privilege, and the punishment it attracts.*** *Any act that obstructs or impedes either House of the state legislature in performing its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or has a tendency, directly or indirectly, to produce such results is treated as breach of privilege.* It is a breach of privilege and contempt of the House to make speeches or to print or publish libel reflecting on the character or proceedings of the House, or its Committees, or on any member of the House for or relating to his character or conduct as a legislator.

What is the procedure to be followed in cases of alleged breach of the legislature's privilege?

The Legislative Assembly Speaker or Legislative Council Chairman constitutes a Privileges Committee consisting of 15 members in the Assembly and 11 members in the Council. The members to the committee are nominated based on the party strength in the Houses. Anant Kalse, retired principal secretary of the Maharashtra State Legislature, said that the Speaker or Chairman first decides on the motions. "If the privilege and contempt are found prima facie, then the Speaker or Chairman will forward it to the Privileges Committee by following the due procedure," Kalse said. In Goswami's case, the Committee will examine whether statements made by him had insulted the state legislature and its Members, and whether their image was maligned before the public. At present, there is no Privileges Committee in either House of the state legislature. Kalse said that



the Committee, which has quasi-judicial powers, will seek an explanation from all the concerned, will conduct an inquiry and will make a recommendation based on the findings to the state legislature for its consideration.

What is the punishment for an individual who is found guilty of breaching the legislature's privilege?

If the Committee finds the offender guilty of breach of privilege and contempt, it can recommend the punishment. The punishment can include communicating the displeasure of the state legislature to the offender, summoning the offender before the House and giving a warning, and even sending the offender to jail. In the case of the media, press facilities of the state legislature may be withdrawn, and a public apology may be sought.

WHO ASKS FOR QUESTION HOUR DEPENDS ON WHO IS IN OPPOSITION

The decision to skip Question Hour and curtail Zero Hour in the upcoming Monsoon session of Parliament has earned criticism from Opposition parties. But Assembly sessions too have been curtailed in many states — ruled by the BJP as well as the Opposition — because of the pandemic. From Trinamool Congress-ruled West Bengal to Congress-ruled Punjab and Rajasthan, BJP-ruled Haryana and Uttar Pradesh, and Shiv Sena-ruled Maharashtra, Assembly sessions have done away with Question Hour. And the Opposition parties — be it the BJP or the Congress — have attacked the respective governments. The BJP in Bengal has attacked the Trinamool Congress government for doing away with Question Hour and accused it of double standards. And the Trinamool Congress, which has defended doing away with Question Hour in Bengal, has attacked the Centre for doing the same in Parliament.

WHAT ARE QUESTION HOUR AND ZERO HOUR, AND WHY THEY MATTER

The Lok Sabha and Rajya Sabha secretariats notified that there will be no Question Hour during the Monsoon Session of Parliament, which has been truncated to September 14-October 1 in view of the Covid-19 pandemic, and that Zero Hour will be restricted in both Houses. Opposition MPs have criticised the move, saying they will lose the right to question the government. A look at what happens in the two Houses during Question Hour and Zero Hour:

What is Question Hour, and what is its significance?

Question Hour is the liveliest hour in Parliament. It is during this one hour that Members of Parliament ask questions of ministers and hold them accountable for the functioning of their ministries. The questions that MPs ask are designed to elicit information and trigger suitable action by ministries. Over the last 70 years, MPs have successfully used this parliamentary device to shine a light on government functioning. Their questions have exposed financial irregularities and brought data and information regarding government functioning to the public domain. With the broadcasting of Question Hour since 1991, Question Hour has become one of the most visible aspects of parliamentary functioning. Asking questions of the government has a long history in our legislative bodies. *Prior to Independence, the first question asked of government was in 1893. It was on the burden cast on village shopkeepers who had to provide supplies to touring government officers.*

And what is Zero Hour?



While Question Hour is strictly regulated, *Zero Hour is an Indian parliamentary innovation. The phrase does not find mention in the rules of procedure. The concept of Zero Hour started organically in the first decade of Indian Parliament, when MPs felt the need for raising important constituency and national issues. During the initial days, Parliament used to break for lunch at 1 pm. Therefore, the opportunity for MPs to raise national issues without an advance notice became available at 12 pm and could last for an hour until the House adjourned for lunch. This led to the hour being popularly referred to as Zero Hour and the issues being raised during this time as Zero Hour submissions.* Over the years, presiding officers of both Houses have given directions to streamline the working of Zero Hour to make it even more effective. Its importance can be gauged from the support it receives from citizens, media, MPs and presiding officers despite not being part of the rulebook.

How is Question Hour regulated?

Parliament has comprehensive rules for dealing with every aspect of Question Hour. And the presiding officers of the two houses are the final authority with respect to the conduct of Question Hour. For example, usually Question Hour is the first hour of a parliamentary sitting. *In 2014, Rajya Sabha Chairman Hamid Ansari shifted Question Hour in the House from 11 am to 12 noon. The move was to prevent the disruption of Question Hour.*

What kind of questions are asked?

Parliamentary rules provide guidelines on the kind of questions that can be asked by MPs. *Questions have to be limited to 150 words.* They have to be precise and not too general. The question should also be related to an area of responsibility of the Government of India. Questions should not seek information about matters that are secret or are under adjudication before courts. It is the presiding officers of the two Houses who finally decide whether a question raised by an MP will be admitted for answering by the government.

How frequently is Question Hour held?

The process of asking and answering questions starts with identifying the days on which Question Hour will be held. At the beginning of Parliament in 1952, Lok Sabha rules provided for Question Hour to be held every day. Rajya Sabha, on the other hand, had a provision for Question Hour for two days a week. A few months later, this was changed to four days a week. Then from 1964, Question Hour was taking place in Rajya Sabha on every day of the session. Now, Question Hour in both Houses is held on all days of the session. But there are two days when an exception is made. *There is no Question Hour on the day the President addresses MPs from both Houses in the Central Hall. The President's speech takes place at the beginning of a new Lok Sabha and on the first day of a new Parliament year. Question Hour is not scheduled either on the day the Finance Minister presents the Budget.* Since the beginning of the current Lok Sabha, approximately 15,000 questions have been asked in the Lower House.

How does Parliament manage to get so many questions answered?

To streamline the answering of questions raised by MPs, the ministries are put into five groups. Each group answers questions on the day allocated to it. For example, in the last session, on Thursday the Ministries of Civil Aviation, Labour, Housing, and Youth Affairs and Sports were answering questions posed by Lok Sabha MPs. This grouping of ministries is different for the two



Houses so that ministers can be present in one house to answer questions, So the minister of Civil Aviation was answering questions in Rajya Sabha on Wednesday, during the Budget session. MPs can specify whether they want an oral or written response to their questions. They can put an *asterisk* against their question signifying that they want the minister to answer that question on the floor. These are referred to as *starred questions*. After the minister's response, the MP who asked the question and other MPs can also ask a follow-up question. This is the visible part of Question Hour, where you see MPs trying to corner ministers on the functioning of their ministries on live television. Seasoned parliamentarians choose to ask an oral question when the answer to the question will put the government in an uncomfortable position.

How do ministers prepare their answers?

Ministries receive the questions 15 days in advance so that they can prepare their ministers for Question Hour. They also have to prepare for sharp follow-up questions they can expect to be asked in the House. Government officers are close at hand in a gallery so that they can pass notes or relevant documents to support the minister in answering a question. When MPs are trying to gather data and information about government functioning, they prefer the responses to such queries in writing. These questions are referred to as unstarred questions. The responses to these questions are placed on the table of Parliament.

Are the questions only for ministers?

MPs usually ask questions to hold ministers accountable. But the rules also provide them with a mechanism for asking their colleagues a question. Such a question should be limited to the role of an MP relating to a Bill or a resolution being piloted by them or any other matter connected with the functioning of the House for which they are responsible. Should the presiding officer so allow, MPs can also ask a question to a minister at a notice period shorter than 15 days.

Is there a limit to the number of questions that can be asked?

Rules on the number of questions that can be asked in a day have changed over the years. In Lok Sabha, until the late 1960s, there was no limit on the number of unstarred questions that could be asked in a day. Now, Parliament rules limit the number of starred and unstarred questions an MP can ask in a day. The total number of questions asked by MPs in the starred and unstarred categories are then put in a random ballot. From the ballot in Lok Sabha, 20 starred questions are picked for answering during Question Hour and 230 are picked for written answers. Last year, a record was set when on a single day, after a gap of 47 years, all 20 starred questions were answered in Lok Sabha.

Have there been previous sessions without Question Hour?

Parliamentary records show that during the Chinese aggression in 1962, the Winter Session was advanced. The sitting of the House started at 12 pm and there was no Question Hour held. Before the session, changes were made limiting the number of questions. Thereafter, following an agreement between the ruling and the Opposition parties, it was decided to suspend Question Hour.

WHO GETS CENTRAL GOVERNMENT SECURITY, AND WHO PAYS FOR IT?



Bollywood actor Kangana Ranaut has been accorded Y-plus category of CRPF security by the Ministry of Home Affairs (MHA) in the wake of her spat with Shiv Sena leader Sanjay Raut, and after she said she feared for her life. Eleven commandos have been tasked with protecting Ranaut. Two of the commandos will provide her with mobile security, while one will guard her residence at all times across the country.

So anyone who is threatened, and who expresses a threat to their life, will get central government protection?

No, they won't. This protection is informally called "VIP security", and it is generally given only to someone who holds a position of consequence either in the government or in civil society. The Centre is generally reluctant to liberally give protection to individuals, and a large number of even "important people" whose lives have been found to have been in danger, are provided security by state police, based on assessments of the threat made by the state government concerned.

In cases where the central government does decide to extend security to an individual, who decides the level of protection that is to be given?

The level of security needed by any individual is decided by the MHA, based on inputs received from intelligence agencies which include the Intelligence Bureau (IB) and Research and Analysis Wing (R&AW). The agencies mostly provide a subjective measure of the threat to life or injury to a person from terrorists or any other group, based on information generated from their sources. The information can include intercepts of phone conversations, human intelligence, or a credible analysis of an open threat. Certain individuals, by reason of positions they hold in government, are automatically entitled to security cover. They include the Prime Minister and his immediate family. The Home Minister and officials such as the National Security Advisor too, generally get security cover because of the positions they occupy.

So why didn't another actor, Deepika Padukone, get protection when she faced a threat of beheading by the Karni Sena in 2017?

Indian intelligence agencies are not accountable to any statutory body, and are subject only to the internal oversight of the MHA and the Ministry of External Affairs (MEA). The intelligence inputs that these agencies generate, particularly in cases where VIP security is involved, is neither put out in the public domain nor is it open to scrutiny by any other agency. Because of this opacity in functioning, and the fact that there is virtually no accountability except to the government in power, VIP security is open to manipulation by the executive. A large number of protectees, it has been alleged, are under security cover purely for political or "prestige" reasons, and not necessarily because of any genuine threat.

What are the various levels of protection extended to individuals by the governments at the Centre and the states?

There are broadly six categories of security cover: X, Y, Y-plus, Z, Z-plus, and SPG (Special Protection Group). While the SPG is meant only for the PM and his immediate family, other protection categories can be provided to anyone about whom the Centre or state governments have inputs of a threat. The number of personnel guarding the protectee differ from category to category. The X category is the most basic level of protection.

* The X category on average entails just one gunman protecting the individual.



- * The Y category has one gunman for mobile security, and one (plus four on rotation) for static security.
- * Y-plus has two gunmen (plus four on rotation) for mobile security, and one (plus four on rotation) for residence security.
- * Z has six gunmen for mobile security and two (plus 8) for residence security.
- * Z-plus protectees have 10 security personnel for mobile security, and two (plus 8) for residence security.

So, which are the forces engaged in VIP security?

For VIPs other than the PM, the government has mandated the National Security Guard (NSG), Central Reserve Police Force (CRPF) and the Central Industrial Security Force (CISF) to provide security cover. The government has intended over the years to reduce the burden of VIP security on the NSG, which is the most sought-after security cover. The reason, it has been argued, is that the core function of the NSG is counter-terrorism operations, not providing VIP security. It is for this reason that Home Minister Amit Shah and NSA Ajit Doval have been given CRPF and CISF cover respectively.

And who pays for the cost of the security cover?

Anyone to whom the government provides security after assessment by intelligence agencies, gets the protection for free. However, those who have an elaborate security cover such as those in the Z and Z-plus categories, with many personnel for both residence and mobile security, may have to factor in accommodation for these security personnel. Former Chief Justice of India P Sathasivam had in 2014 famously refused VIP security provided by the government after his retirement, because he had moved to his ancestral home which did not have the space to accommodate so many personnel. Until the time he was CJI, Sathasivam had Z-plus security, which was downgraded to Z category of CRPF security after he retired. *However, the government can choose to charge a private individual for their security cover even after assessing a threat to them.* Thus, industrialist Mukesh Ambani was provided Z category CRPF cover in 2013 after the IB assessed there was a threat to his life. However, in its order, the government asked the CRPF to charge Ambani Rs 15 lakh per month for the cover.

CLAUSE IN SECULAR MARRIAGE LAW VIOLATES RIGHT TO PRIVACY

A secular marriage law that makes accessible to all and sundry the personal details, including mobile phone numbers, of adults who want to enter wedlock has come under challenge in the Supreme Court. The Special Marriage Act is intended to help consenting adults, especially those who belong to different religions or castes, to marry. *But certain provisions of the Act, like Section 6, require the personal details of the couple to be published for 30 days at the Marriage Registrar's office. The details include their names, date of birth, age, occupation, parents' names and details, address, pin code, identity information, and phone number.* The provisions in the Act allow anyone to submit objections to the marriage if they come to know of it through this public notice. The Marriage Officer is empowered to enquire into these objections. Law student Nandini Praveen, represented by advocates Kaleeswaram Raj and Nishe Rajen Shonker, said the publication of private details was a violation of the privacy of couples. "In other words, couples are asked to



waive the right to privacy to exercise the right to marry. This infringes the rights of autonomy, dignity and the right to marry, of various couples,” Ms. Praveen argued in her petition.

SIGNIFICANCE AND CAPABILITY OF SCRAMJET VEHICLE THAT DRDO TESTED TODAY

The Defence Research and Development Organisation (DRDO) successfully flight tested the Hypersonic Technology Demonstrator Vehicle (HSTDV) – an unmanned scramjet vehicle with a capability to travel at six times the speed of sound. A look at the vehicle and its development, and the importance of the test for defence and other sectors.

Significance of the test

The DRDO said in a series of tweets, “In a historic mission today, India successfully flight tested Hypersonic Technology Demonstrator Vehicle, a giant leap in indigenous defence technologies and significant milestone towards a Sashakt Bharat and Atmanirbhar Bharat. *DRDO with this mission, has demonstrated capabilities for highly complex technology that will serve as the building block for NextGen Hypersonic vehicles in partnership with industry.*” *The test which was conducted from Dr APJ Abdul Kalam Launch Complex at Wheeler Island, off the coast of Odisha today, the Agni missile was used. A solid rocket motor of Agni missile was used to take to an altitude of 30 kilometers where the cruise vehicle separated from the launch vehicle and the air intake opened as planned. The parameters of the test were monitored by multiple tracking radars, electro-optical systems and telemetry stations and a ship was also deployed in the Bay of Bengal to monitor the performance during the cruise phase of hypersonic vehicle. All the performance parameters have indicated a resounding success of the mission, officials said.* A senior DRDO scientist said that though the system was tested for a very short duration, it has given scientists a large set of data points to work on for further development. The indigenous development of the technology will also boost the development of the systems built with hypersonic vehicles at its core, including both offensive and defensive hypersonic cruise missile systems and also in the space sector. Scientists believe that while the successful test is a major milestone, many more rounds of tests will have to be done to achieve the level of technology with countries like the US, Russia and China.

The hypersonic vehicle and its scramjet engine

The scramjets are a variant of a category of jet engines called the air breathing engines. The ability of engines to handle airflows of speeds in multiples of speed of sound, gives it a capability of operating at those speeds. Hypersonic speeds are those which are five times or more than the speed of sound. The unit tested by the DRDO can achieve upto six times the speed of sound or Mach 6, which is well over 7000 kilometers per hour or around two kilometers per second. For the test, the hypersonic combustion sustained and the cruise vehicle continued on its desired flight path at a velocity of Mach 6 for a period of 20 seconds. While the technology helps achieve hypersonic speeds, it comes with its set of disadvantages, and the obvious one being its very high cost and high thrust-to-weight ratio.

Development of the technology

The DRDO started on the development of the engine in early 2010s. The Indian Space Research Organisation (ISRO) has also worked on the development of the technology and has successfully tested a system in 2016. DRDO too has conducted a test of this system in June 2019. The special project of the DRDO consisted of contributions from its multiple facilities including the Pune



headquartered Armament and Combat Engineering Cluster. *“At the hypersonic speeds, the system has to handle temperatures to the range of 2500 degrees Celsius as well as the air speed, and thus development of the material is one of the main challenges.”* said a DRDO scientist. For this project, DRDO used many technologies already available with it.

THE PINAKA MISSILE SYSTEM THAT WILL BE DEPLOYED ALONG INDIA’S BORDERS WITH PAKISTAN, CHINA

The Ministry of Defence (MoD) announced that it’s acquisition wing had signed contracts with three Indian companies for supply of six regiments of the Pinaka Rocket System to be deployed along borders with Pakistan and China. A look at the indigenously developed rocket system *named after Lord Shiva’s bow*, its role in the battlefield and importance of the latest acquisition, which will be complete by 2024.

The origin of Pinaka rocket system

In the battlefield, long range artillery systems like Pinaka are used for attacking the adversary targets prior to the close quarter battles which involve smaller range artillery, armoured elements and the infantry. The development of the Pinaka was started by the Defence Research and Development Organisation (DRDO) in the late 1980s, as an alternative to the multi-barrel rocket launching systems of Russian make, called like the ‘Grad’, which are still in use. After successful tests of Pinaka Mark-1 in the late 1990, it was first used in the battlefield during the Kargil War of 1999, quite successfully. Subsequently multiple regiments of the system came up over the 2000s.

The salvo of Pinaka, its versions and capabilities

The Pinaka, which is primarily a multi-barrel rocket system (MBRL) system, can fire a salvo of 12 rockets over a period of 44 seconds. One battery of Pinaka system consists of six launch vehicles, accompanied by the loader systems, radar and links with network based systems and a command post. One battery can neutralise an area one kilometre by one kilometre.

THE EVOLVING ROLE OF RELIGIOUS TEACHERS IN THE ARMY

As Rafale jets joined the Indian Air Force at Ambala Air Force Base, a sarva dharma prarthana or a multi-faith prayer was held during their induction ceremony. The prayer performed by the religious teachers is a unique feature of many important ceremonies of the India’s armed forces, particularly the Army. A look at the concept of religious teachers in the Indian Army, their training at Institute of National Integration and their evolving role as counsellors for the troops.

Religious teachers of the Indian Army

Armed forces across the world have had the tradition of priests or clerics who accompany the troops. In India, the tradition of having military chaplains who were ministers accompanying the troops in the British era was carried forward even after the independence. *Initially, religious teachers from various faiths were recruited by individual units of the Army but, over the years, the process was institutionalised. The Institute of National Integration (INI) of the Army was established in Pune in 1984 where training of religious teachers for the Army is conducted.* The Recruit Religious Teachers for the Army are selected through a separate process, undergo training at the INI, and are commissioned as Junior Commissioned Officers (JCOs) with designations like Pundits,



Maulavis, Priests, Monks or Granthis. These RTs upon their commission into the Army get posted with the Army units spread across the country. *At the INI, the recruits get trained in tenets of Hinduism, Islam, Christianity, Buddhism and Sikhism. The recruits are not just trained in their own religion but also receive lessons about others, thus making the training multi-faith in nature.*

The sarva dharma sthal and multi-faith prayers at ceremonies

A very unique feature of almost all the Army units in India, where troops are stationed or trained, is a place called the sarva dharma sthal, which is a place of worship for all religions and faiths. The religious teachers posted are with the Army units as per the composition of individual units and are in-charge of these sarva dharma sthal. Along with being a place where everyone can worship, these sarva dharma sthal are also a symbol of harmony. All the major ceremonies held at the Army establishments, where troops are trained or stationed, consist of the multi-faith prayer like the one held at Ambala. At the ceremonies, where 'Presidential Colours' are presented to the Armed Forces units, a multi-faith prayer is always held. In such ceremonies, the religious teachers recite verses from the religious texts and pray for the troops. *While some important ceremonies of the Navy and Air Force have also had multi-faith prayer in the past, the Naval and Air Force establishments do not commonly have the concept of sarva dharma sthal in their units.*

The evolving role of religious teachers as counsellors

Over the past few years, the religious teachers are being trained in behavioural and social sciences. One of the important issues the soldiers face is the combat stress and the religious teachers are being trained to do group counselling of the troops through lectures, sermons and interactions. If they come across individual soldiers who could use professional help to deal with psychological issues, they can be referred to authorities concerned. In conflict scenarios, soldiers have to stay away from their homes and families. Religious gatherings where soldiers come together often have motivating talks by the religious teachers which may help in keeping morale high. A religious teacher from the Army said, "The idea of an all-faith place of worship is arguably only in the Indian Army among the forces across the world. A true symbol of harmony. For example, the death of a soldier is always tragic but the troops have to face it. The religious teachers are also trained in performing these rituals. In cases, when a religious teacher of one particular faith is not available in one particular unit, the teacher of another faith performs those rituals. This only happens in the Indian Army. All the teachers are given brief training of basic practices, notions and rituals in all the religions to which the soldiers belong."

ARE 74,000 SUBSIDISED STUBBLE MANAGEMENT MACHINES ENOUGH FOR PUNJAB?

To help Punjab farmers manage stubble after harvesting paddy in the coming months, the state government has arranged 74,000 subsidised machines. While some experts feel that the number is too small given that the task is to manage 20 million tonnes of stubble, others believe that the number is enough and the focus should now be on effective utilization of the available equipment. The Indian Express explains the challenge facing Punjab and how it intends to tackle it.

What are the types of stubble management machines available in Punjab?

According to Punjab Agriculture Department, the state has 15,000 Happy Seeders and 1,000 Super Seeders, currently. By September, 5,000 more Happy Seeders and Super Seeders will be added to the list which will take their number to 21,000 before paddy harvesting. Similarly, the number of



Super SMS, which is attached with normal combine harvester, is 5,000 currently, while 2,000 are being added this year. So the state will have 7,000 Super SMS machines out of total 17,000 harvesters available. Apart from this, the remaining are around 5,000 Zero Till drills, 40,000 rotavators (most of which were owned by farmers before scheme) and remaining Reverse MB Ploughs, choppers, mulchers etc.

What is the role of these machines in managing stubble?

Stubble can be managed in three ways — by pressing the left over stubble under the earth; sowing wheat directly in the standing stubble in the fields and thirdly, by collecting it in bundles. The role of three most sought after machines including *Super SMS, Happy Seeder and Super Seeders* is most crucial in managing stubble. Combine harvester with the attachment of Super SMS (Straw Management System) cuts and spreads the straw in uniform manner in the field at the time of harvesting of paddy following which *Happy Seeder can sow wheat in directly in such fields in standing paddy stubble (the height of which remains around 18 inches after cutting with Super SMS). The Super Seeder is more advanced and it ploughs standing paddy stubble in soil and sows wheat seed simultaneously in a single operation after harvesting. In the absence of these three machines, after doing harvesting with normal harvester, straw chopper or mulcher machine is run to cut the stubble in small pieces of one inch. Then sowing with Rotavator can be done* and if it is not available then *Zero Till Seed Drill* is used for wheat sowing after removing the heavy stubble manually from the field. Such stubble gets mixed with soil and dissolves gradually. *If farmer is not going for wheat sowing after paddy harvesting and wants to grow vegetables or potato, then he needs to operate Reverse MB (RMB) plough, which is used for reversing the land upside down, to press the chopped stubble under the earth.* A clean field is suitable for sowing vegetables. Another machine — baler and rack — collects stubble and makes bales which can be supplied to power generation bio mass plants or to some other factories.

WHY FARM LAWS ARE BEING PROTESTED SO MUCH

Farmer organisations in Haryana defied prohibitory orders imposed amid the pandemic to hold a rally at the Pipli wholesale grain market near Kurukshetra. They even blocked the Delhi-Chandigarh national highway for a couple of hours, when the police initially did not allow them to move to the venue. Their target was three central laws promulgated through ordinances on June 5: The *Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance*, the *Essential Commodities (Amendment) Ordinance*, and the *Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance, 2020*. These protests, preceded by sit-ins across Punjab, are expected to gather steam after September 14, when Parliament convenes for the Monsoon Session.

The opposition by farmer groups in Punjab and Haryana, too, is primarily to the first ordinance that allows sale and purchase of crops to take place outside state government-regulated APMC (Agricultural Produce Market Committee) mandis. They probably have no real issues with the other two ordinances — which basically do away with the imposition of stockholding limits on foodstuffs (except under "extraordinary circumstances" such as war and natural calamities of grave nature) and facilitate contraction cultivation (wherein farmers can enter into agreements with buyers before any planting season).



This law nowhere states that the current system of minimum support price (MSP)-based procurement of foodgrains (essentially wheat and paddy) by government agencies would end. *A plain reading of the Bill suggests that such purchases in state-regulated APMC (agricultural produce market committee) mandis will continue as before. The APMCs wouldn't stop functioning either; nothing prevents farmers from selling their produce or traders and processors from buying in these mandis.* But farmer leaders contend that the true intent of the latest reforms is to implement the recommendations of the *Shanta Kumar-headed High Level Committee on Restructuring of Food Corporation of India (FCI)*. This panel, which submitted its report in 2015, had called for FCI handing over all procurement operations in Punjab, Haryana, MP, Chhattisgarh, Odisha and Andhra Pradesh to state government agencies. *"The committee wanted that the Centre exit procurement and leave everything to the states. Where do they have the money for procuring and stocking so much grain? This... is only meant as an exit strategy for the Centre,"* alleged Jagmohan Singh, general secretary of the Bhartiya Kisan Union (Dakaunda faction). The Congress government in Punjab, too, passed a resolution in the Assembly on August 28 urging the Centre to make MSP-based procurement "a statutory right of the farmers". Besides, it sought a "continuation" of such procurement through the FCI.

All the law does is *provide farmers an alternative platform to sell*. This could be a factory premise/processing plant, produce collection centre, cold storage, warehouse, silo or even the farmgate. *Transactions in such "trade areas" will not be charged APMC market fee or cess.* These levies shall apply only in trades that take place within the boundaries of the regulated market yards or mandis set up under the respective state APMC acts.

Yet, that's not how farmers — especially in Punjab and Haryana and probably also MP and Chhattisgarh — perceive the new law. The government has sought to project the legislation as "creating an ecosystem" where farmers will enjoy the "freedom of choice" to sell to anyone, anywhere in the country. *Neither farmers nor traders, processors, retailers and exporters will henceforth be forced to sell or buy on the physical premises of APMC mandis.*

But the farmers, at least from the said states, seem least interested in the promised freedom. For them, the threat to the existing system, which has worked reasonably well with all its limitations, is what matters.

In 2019-20 alone, government agencies procured 201.14 lakh tonnes (lt) of wheat and 226.56 lt of paddy from Punjab and Haryana. That, at their respective MSPs of ₹1,925 and ₹1,835 per quintal, would have been worth ₹80,293.21 crore. And all these purchases were done in the mandis.

The present "ecosystem" benefits not just farmers. Government agencies procure through arhatiyas or commission agents. The grain brought to the mandis is unloaded and cleaned at the platforms in front of their shops, before being auctioned, weighed, bagged and loaded onto rail rakes or trucks. For all these services, they charge a 2.5% dami or commission fee on top of the MSP. The arhatiyas also make money by financing farmers, who in turn, sell their produce through them.

For farmers, arhatiyas (many of them bigger farmers) and labourers in the mandis, the gains from "freedom" are theoretical. The losses from APMCs being rendered unviable — which can happen if trade moves outside and the government stops buying gradually — are practical and real. What if



the neighbouring mandi does not earn enough market fee and turns into a BSNL vis-a-vis a Jio or Airtel?

“For corporates, the first year is chatti (loss making), the second year is khatti (breakeven) and the third year is hatti (profit making). If allowed to buy directly, they will first ensure that the mandis close down without the government doing it,” said Pritam Singh Hanjra, a farmer from Urlana Khurd village in Panipat.

What next

But the questions to ask is: Will the dismantling of APMC monopoly actually lead to their becoming redundant? Secondly, would they result in corporate agri-businesses establishing direct connection with farmers and eliminating market intermediaries?



DreamIAS



DR. KAFEEL KHAN CASE

If ever any evidence was needed that, a government doctor from Gorakhpur, has been a victim of state persecution, the Allahabad High Court has provided that. Its 42-page order has laid bare the malefic manner in which the doctor was detained under the National Security Act (NSA) on February 13, 2020, shortly after he was granted bail in an earlier case. Dr. Khan, suspended in 2017 after a severe shortage of oxygen cylinders took a deadly toll among children admitted to the encephalitis ward in the Baba Raghav Das Medical College Hospital, Gorakhpur, was arrested on January 29, 2020, for an address to students of Aligarh Muslim University last December. His speech, which contained scathing criticism of the Citizenship (Amendment) Act, and its discriminatory nature, was deemed inflammatory weeks after he had made it. The High Court has now found that far from inciting Muslims, the speech, taken in its entirety, does not disclose any effort to promote hatred or violence; and nowhere does it threaten peace in Aligarh. *The DM, Aligarh, the court says, used selective reading of some phrases and ignored its true intent while passing the detention order. No reasonable man, it says, would have come to the conclusion about the speech that the DM did. The grounds for detention under NSA provided nothing that indicated any attempt by Dr. Khan to disturb peace and tranquillity between the speech in December and his detention in February. The inevitable inference is that the NSA was invoked only to avoid releasing him following the Chief Judicial Magistrate court's order granting him bail. The process to invoke the NSA itself began only after the bail order,* the Bench comprising Chief Justice Govind Mathur and Saumitra Dayal Singh noted.

The use of stringent national security laws against political dissenters, in the absence of any appeal to violence, is something to be condemned in all cases. However, there is something perverse about the resort to preventive detention just to frustrate bail orders. In particular, the authorities have shown excessive zeal in dealing with Dr. Khan. In 2017, he was arrested on charges of negligence and corruption even though circumstances indicated his strenuous efforts to ensure continuous oxygen supply. He spent months in prison before an inquiry absolved him of the charges of negligence and corruption, but was found to have been engaging in private practice. The paediatrician's suspension is yet to be revoked. *Even though the verdict gives him relief, it comes after he spent seven months in jail.* And his case will some day go to trial. The case of Dr. Khan is poor advertisement for India's democratic credentials, for it brings to light its propensity to criminalise dissent, single out individuals for persecution and display a general disregard for basic rights.

WHO CONTROLS ASSAM RIFLES, AND WHAT IS THE TUSSE BETWEEN MOD AND MHA?

The Delhi High Court has granted 12 weeks to the Union government to decide on whether to scrap or retain the dual control structure for Assam Rifles, which comes under both the Ministry of Home Affairs (MHA) and the Ministry of Defence (MoD). Observing that the matter has been pending for almost three years, the court said it appears that an in-principle decision has been taken to keep the central armed police force under the exclusive control of MHA, but the final decision has not yet been taken. The order was passed on a petition filed by Assam Rifles Ex-Servicemen Welfare Association. Its plea contends that dual control prejudices the personnel of the force.

What is Assam Rifles?



Assam Rifles is one of the six central armed police forces (CAPFs) under the administrative control of Ministry of Home Affairs (MHA). The other forces being the Central Reserve Police Force (CRPF), the Border Security Force (BSF), the Indo-Tibetan Border Police (ITBP), the Central Industrial Security Force (CISF) and the Sashastra Seema Bal (SSB). It is tasked with the maintenance of law and order in the North East along with the Indian Army and also guards the Indo-Myanmar border in the region. It has a sanctioned strength of over 63,000 personnel and has 46 battalions apart from administrative and training staff.

How is it unique?

It is the only paramilitary force with a dual control structure. While the administrative control of the force is with the MHA, its operational control is with the Indian Army, which is under the MoD. This means that salaries and infrastructure for the force is provided by the MHA, but the deployment, posting, transfer and deputation of the personnel is decided by the Army. All its senior ranks, from DG to IG and sector headquarters, are manned by officers from the Army. The force is commanded by Lieutenant General from the Indian Army. The force is the only central paramilitary force (CPMF) in real sense as its operational duties and regimentation are on the lines of the Indian Army. However, its recruitment, perks, promotion of its personnel and retirement policies are governed according to the rules framed by the MHA for CAPFs. This has created two sets of demands from both within the Assam rifles and by MoD and MHA for singular control over the force by one ministry. A large section within the force wants to be under the administrative control of the MoD, as that would mean better perks and retirement benefits which are far higher compared to CAPFs under MHA. However, Army personnel also retire early, at 35, while the retirement age in CAPF is 60 years. Also, CAPF officers have recently been granted non-functional financial upgradation (NFFU) to at least financially address the issue of stagnation in their careers due to lack of avenues for promotion. But Army personnel also get one-rank-one-pension which is not available to CAPFs.

Why do both MHA and MoD want full control?

MHA has argued that all the border guarding forces are under the operational control of the ministry and so Assam Rifles coming under MHA will give border guarding a comprehensive and integrated approach. MHA sources also say that Assam Rifles continues to function on the pattern set during the 1960s and the ministry would want to make guarding of the Indo-Myanmar border on the lines of other CAPFs. The Army, for its part, has been arguing that there is no need to fix what isn't broken. Sources say the Army is of the opinion that the Assam Rifles has worked well in coordination with the Army and frees up the armed forces from many of its responsibilities to focus on its core strengths. It has also argued that Assam Rifles was always a military force and not a police force and has been built like that. It has argued that giving the control of the force to MHA or merging it with any other CAPF will confuse the force and jeopardise national security.

How old is the issue?

Both MHA and MoD have wanted full control of the force for a long time. Opinions to this effect have been expressed by both Army and police officers from time to time in public domain. However, it was in 2013 that MHA first made a proposal to take operational control of the Assam Rifles and merge it with the BSF. There were discussions held between MHA and MoD, however, no agreeable ground could be found. In 2019, after Amit Shah took over as Home Minister, the proposal was renewed – this time with a plan to merge Assam Rifles with the ITBP. The matter is said to be pending with the Cabinet Committee on Security and discussions are on between the two



ministries concerned. Since then the *Indian Army has actually been pushing for not only total control of Assam Rifles but also operational control over ITBP*, which guards the Sino-Indian border and is currently engaged in a standoff with the Chinese PLA in eastern Ladakh. Meanwhile, *Assam Rifles Ex-Servicemen Welfare Association filed a petition in the Delhi High Court seeking its intervention in the matter. Its plea expressed difficulties faced by the personnel due to the dual control structure and even called the force's categorisation as a police force as arbitrary. It also demanded pay and perks on the lines of the Army for Assam Rifles personnel.*

What has been the contribution of Assam Rifles?

Assam Rifles is the oldest paramilitary force raised way back in 1835 in British India with just 750 men. Since then it has gone on to fight in two World Wars, the Sino-Indian War of 1962 and used as an anti-insurgency force against militant groups in the North East. Raised as a militia to protect British tea estates and its settlements from the raids of the NE tribes, the force was first known as Cachar Levy. It was reorganised later as Assam Frontier Force as its role was expanded to conduct punitive operations beyond Assam borders. Given its contribution in opening the region to administration and commerce, it came to be known as the "right arm of the civil and left arm of the military". In 1870, existing elements were merged into three Assam Military Police Battalions, named as Lushai Hills, Lakhimpur and Naga Hills. The 'Darrang' Battalion was raised just before the onset of World War I. Since Reservists were difficult to be called on short notice and Gurkha Battalions' soldiers were on leave in Nepal, the Assam Military Police were tasked to take their place. Thus, this force sent over 3,000 men as part of the British Army to Europe and the Middle East. *In 1917, recognising their work during the World War I, fighting shoulder to shoulder with Rifle Regiments of the regular British Army, the name of the force was changed to 'Assam Rifles'. The post-Independence role of the Assam Rifles continued to evolve, ranging from conventional combat role during Sino-India War 1962, operating in foreign land as part of the Indian Peace Keeping Force (IPKF) to Sri Lanka in 1987 (Operation Pawan) to peacekeeping role in the North-Eastern areas of India. It remains the most awarded paramilitary force in both pre- and post-independent India.* During the World War I, the force was awarded 76 gallantry medals, including seven Indian Order of Merit awards and five Indian Distinguished Service Medals, for its contribution in Europe and the Middle East during the conflict. In World War II, after the lightning Japanese advance in 1942, the Assam Rifles fought a number of independent actions behind enemy lines as the task of rear-area defence and rear-guard often fell to them during the Allies retreat into India. They also organised a resistance group—the Victor Force—on the Indo-Burmese border to counter the Japanese invasion and to harass the enemy line of communications. The force was awarded 48 gallantry medals during the war. Since Independence, the force has won 120 Shaurya Chakras, 31 Kirti Chakras, five Vir Chakras and four Ashok Chakras, apart from 188 Sena Medals.

'MOPLAH RIOTERS' NOT FREEDOM FIGHTERS

A report submitted to the Indian Council of Historical Research (ICHR) in 2016 had recommended the removal of the Wagon Tragedy victims and Malabar Rebellion leaders Ali Musliyar and Variamkunnath Ahmad Haji, and Haji's two brothers from a book on martyrs of India's freedom struggle. The report sought the removal of names of 387 'Moplah rioters' from the list of martyrs. The book, Dictionary of Martyrs: India's Freedom Struggle 1857-1947, was released by Prime Minister Narendra Modi last week.

Martyrs from the south



C.I. Issac, an ICHR member, submitted the 2016 report to the Council, recommending the deletion of the names when the fifth volume, covering martyrs of the freedom struggle from south India, came up for review. The report, accessed by The Hindu, describes Haji as the “notorious Moplah Riot leader” and a “hardcore criminal,” who “killed innumerable innocent Hindu men, women, and children during the 1921 Moplah Riot, and deposited their bodies in a well, locally known as Thoovoor Kinar”.

Haji was arrested by the army, tried by an army court and shot dead on January 20, 1922, the report said. The ICHR recently constituted a three-member committee, including Mr. Issac, to review the entries in the dictionary, including those of Haji and Ali Musliyar. The review report said, “Almost all the Moplah outrages were communal. They were against Hindu society and done out of sheer intolerance. Thus, the following names should be deleted from the yet-to-be published project.” Mr. Issac is also the vice-president of the Bharatiya Vichara Kendram.

‘For taking part in riots’

“None of those who died in the Wagon Tragedy were freedom fighters of India as they hoisted the Khilafat flag and established Khilafat and Khilafat courts for a brief period. They were arrested by the army for participating in riots. Around 10 Hindus who participated in the riots too are on the list of persons to be removed from the dictionary,” said Mr. Issac. The British convicted the rioters after proper trial. While some were hanged to death, some died in jail and some others in hospitals. These dead were never recognised as freedom fighters elsewhere, he added.

BT COTTON

Cotton has been woven and used in India for thousands of years. Cotton fabric from around 3,000 BCE has been excavated from the ruins of Mohenjo-daro, and archaeological findings in Mehrgarh, Pakistan, show that cotton was used in the subcontinent as far back as 5,000 BCE. Indian cotton fabrics dominated the world trade during the succeeding millennia and were exported to many places, including Greece, Rome, Persia, Egypt, Assyria and parts of Asia. Much of the cotton cultivated until the 20th century was of the indigenous ‘desi’ variety, *Gossypium arboreum*. From the 1990s, hybrid varieties of *G. hirsutum* were promoted. These hybrids cannot resist a variety of local pests and require more fertilizers and pesticides. Cotton suffers from plenty of infestation from moth pests (Lepidopteran) such as the Pink Bollworm (PBW) and sap-sucking (Hemipteran) pests such as aphids and mealy bugs. With increasing pressure to buy hybrid seeds, the indigenous varieties have lost out over the years. But recently, there has been some resurgence of interest. **The increasing use of synthetic pyrethroids (group of man-made pesticides) to control pests and the rising acreage under the American long-duration cotton led to the emergence of resistant pests. Resistant Pink and even American Bollworm (ABW), a minor pest in the past, began increasing, leading to a growing use of a variety of pesticides. Rising debts and reducing yields, coupled with increasing insect resistance, worsened the plight of cotton farmers. It was in this setting that Bt cotton was introduced in India in 2002. Genetically modified (GM) cotton, the plant containing the pesticide gene from the bacteria *Bacillus thuringiensis* (Bt), has been grown in India for about twenty years. This pesticide, now produced in each Bt plant cell, ought to protect the plant from bollworm, thereby increasing yields and reducing insecticide spraying on the cotton plant.**

It is tough to isolate one particular aspect of a technology and evaluate it properly. A technology that works in the lab may fail in fields since real-world success hinges on multiple factors, such as different kinds of pests and local soil and irrigation conditions. The benefits of Bt cotton have been



modest and short-lived. Changes to the agricultural systems correlate better with positive yields, and countrywide yields have not improved in thirteen years. *India's global rank for cotton production is 36 despite heavy fertilizer use, irrigation, chemicals and Bt cotton usage.* This is below the national average of some resource-poor African countries that don't have Bt, hybrids or good access to inputs. *The cost of ignoring 'desi' varieties for decades has been high for India. These varieties resist many pests and don't present the problems faced with hybrids. Research suggests that with pure-line cotton varieties, high density planting, and short season plants, cotton yields in India can be good and stand a better chance at withstanding the vagaries of climate change.* But government backing for resources, infrastructure and seeds is essential to scale up 'desi' varieties. It is time to pay attention to science and acknowledge that Bt cotton has failed in India, and not enter into further misadventures with other Bt crops such as brinjal or herbicide resistance.

WHO WAS GOVIND SWARUP, THE PIONEER OF RADIO ASTRONOMY IN INDIA?

Govind Swarup, the man who pioneered radio astronomy in India, died on Monday in Pune following a brief illness. He was 91. Swarup is credited with conceptualising and leading the team that set up the *Ooty Radio Telescope (ORT)* and Giant Meterwave Radio Telescope (GMRT). Regarded as the "Father of Indian Radio Astronomy", Swarup was the founder-director of TIFR – National Centre for Radio Astrophysics (NCRA) in Pune.

Swarup was born in Thakurwada in Uttar Pradesh in 1929. He completed his master's degree from Allahabad University in 1950 and went on to pursue his doctoral studies at Stanford University in 1961. Swarup returned to India in 1965, and soon joined the Tata Institute of Fundamental Research. *Setting up the ORT was no easy task but Swarup was aware of the geographical advantage India enjoyed owing to its proximity to the equator. His clear vision helped set up the 500 metre-long, 30 metre-wide set of dishes in a cylindrical parabolic fashion, covering an area of 15,000 square metre in the lowest cost possible, yet the telescope was the largest at that time. The ORT, which was completed in 1970, makes it possible to track celestial objects for 10 hours continuously and is one of the most sensitive telescopes in the world. With the experience of ORT, Swarup decided to set up Pune's GMRT, an array of 30 dish antennas spread across a distance of 25 km, arranged in a 'Y' shape at a pristine yet suitable location at Khodad in Junnar taluka. Since 2002, GMRT has facilitated some novel discoveries in the field of astronomy.* Swarup had also guided the upgradation process that the GMRT underwent in recent years.

LANGUAGE BAIAS

Earlier this month, a Central Industrial Security Force (CISF) officer asked DMK MP Kanimozhi if she was an Indian after realising that she did not speak Hindi. Ms. Kanimozhi wisely chose to walk away and took to Twitter to air her annoyance. Though the CISF ordered an inquiry into the incident, the matter invited much media attention, leading to debates on television channels on Hindi imposition. The incident impelled former *Union Home Minister P. Chidambaram to tweet that he had "experienced similar taunts from government officers and ordinary citizens who insisted that I speak in Hindi during telephone conversations and sometimes face to face"*. He added that all Central government employees must be made to speak in both English and Hindi.

CENSORSHIP BEFORE A SHOW: THE LAW, RULINGS



Different courts recently gave conflicting rulings involving the broadcast of two shows — a programme on Sudarshan TV and the Netflix documentary Bad Boy Billionaires. In each case, one court restricted the broadcast and another refused to interfere. These raise questions on the fundamental right to freedom of speech and expression, and whether these can be restrained prior to broadcast or publishing.

What are the cases about?

Sudarshan TV's Bindas Bol was scheduled for telecast on August 28. A 49-second trailer posted on Twitter claimed the show would contain a "big expose on conspiracy to infiltrate Muslims in government service", referring to Jamia Milia Islamia University alumni who cleared the civil services exam this year. On August 28, the Supreme Court refused to stay the broadcast, while the Delhi High Court Bench of Justice Navin Chawla granted an interim injunction restraining the telecast. A day later, the same High Court Bench refused to vacate its stay order. In the Netflix case, following a plea by Sahara chief Subrata Roy, a court in Bihar's Araria passed an interim order on August 30 staying the release of Bad Boy Billionaires scheduled on September 2. Two days before the stay, the Delhi High Court bench of Justice Navin Chawla had refused to grant a stay against the release in a plea by Gitanjali Gems promoter Mehul Choksi.

How did the courts decide the same issue differently?

The Delhi High Court issued an injunction after noting that the proposed telecast on Sudarshan TV violated the code prescribed in the Cable Television Network (Regulation) Act, 1995. Section 5 prescribes that "no person shall transmit or re-transmit through a cable service any programme unless such programme is in conformity with the prescribed programme code." *Section 19 gives the power to prohibit a broadcast in the public interest if the programme is "likely to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or regional groups or castes or communities or which is likely to disturb the public tranquillity".* Justice Chawla said prima facie it appeared the proposed broadcast would violate Section 5. The I&B Ministry informed the court it had received complaints against the broadcast and had sought the channel's response. *A two-judge Bench of the Supreme Court headed by Justice D Y Chandrachud said the petition against the Sudarshan TV show prima facie raises "significant issues bearing on the protection of constitutional rights". However, it said that it would "desist" from "imposing a pre-broadcast interlocutory injunction on the basis of an unverified transcript of a forty-nine-second clip".* "The Court has to be circumspect in imposing a prior restraint on publication or the airing of views. We note that under statutory provisions, competent authorities are vested with powers to ensure compliance with the law..." the court added. *In the Netflix case, the High Court dismissed Choksi's petition, saying since only he was personally affected by the broadcast, the appropriate remedy would be to file a civil suit.*

What is prior restraint?

Prior restraint is prohibiting the exercise of free speech before it can take place. Imposition of pre-censorship or prior restraint on speech is a violation of the fundamental right to freedom of speech and expression enshrined in *Article 19 (1) (a)* of the Constitution. *Any restrictions imposed on this right have to be found under Article 19(2) of the Constitution, which lists out "reasonable restrictions" that include interests of the sovereignty and integrity of India, security of the state, public order, and incitement to an offence. Any legislation that imposes a prior restraint on speech*



usually has the burden to show that the reason for such restraint can be found under Article 19(2). It is generally allowed only in exceptional circumstances. The idea is that speech can be restricted only when judged on its actual content and not pre-emptively based on perceptions of what it could be. The court has adopted the “proximity” test to determine if public order would be affected to allow prior restraint — the state is required to demonstrate a proximate link between public order and the speech. Two rulings by the Supreme Court in 1950, which held that legislation imposing prior restraint on the press were unconstitutional citing that the restricts were too broad, led to the First Amendment of the Constitution that tinkered with the scope of restrictions on free speech under Article 19(2), adding the word “reasonable” before the restrictions.

PROCESSES AND CONCERNS: HOW DOES PUBLIC POLICY IN SOCIAL MEDIA WORK?

Last week, a committee of the Delhi Legislative Assembly took up Facebook’s alleged “inaction” in a matter involving the BJP, in the wake of a report in The Wall Street Journal that a top executive of the company in India had “opposed applying hate-speech rules” to users linked to the ruling party, citing business imperatives. This isn’t the first time. Earlier too, Facebook has been accused of bias, of not doing enough to discourage hate speech, and of letting governments influence content decisions on the platform.

A decade of debate

Back in 2009, when Facebook had only 200 million users (fewer than its current user base in India), critics noticed Holocaust deniers on the platform. One of the first governments to take up the issue was Germany. *In 2015, Chancellor Angela Merkel discussed rising xenophobic attacks on refugees with CEO Mark Zuckerberg. That same year, German prosecutors launched an investigation against the company’s local head executive; Der Spiegel said this was the first time a government had investigated Facebook representatives for abetment of violent speech.* Germany passed a law against hate speech in 2017. *In the run-up to the 2016 presidential election in the United States, Facebook allowed videos posted by then candidate Donald Trump that violated their guidelines, saying the content was “an important part of the conversation around who the next US President will be”. The issue returned in the ongoing election campaign after Facebook refused to take down a post by Trump about the Black Lives Matter protest in May. In 2018, Facebook admitted to having failed to prevent human rights abuses on the platform in Myanmar.* Civil society had been sounding alarms since 2014, which were eventually taken up by the United Nations and the US Congress. In November that year, Facebook said in a statement that they “weren’t doing enough to help prevent our platform from being *used to foment division and incite offline violence” in Myanmar.* Internet regulations in several countries (including the US’s Section 230 of the Communications Decency Act and India’s Section 66A of The Information Technology Act) *protect platforms from having immediate liability for content,* ostensibly to guard against over-censoring. Because of rising frustrations, however, governments are threatening those legal protections – for example, through the executive order by Trump in May, and the pending amendments to the Intermediary Liability Guidelines by the IT Ministry. *In Australia, tech executives can now be jailed if their platforms do not swiftly remove violent video content.*

How content moderation works



The vast majority of content on Facebook is flagged by an algorithm if it violates company rules. Users can manually flag content, which gets directed to content moderators sitting in contracted offices all over the world. In 2019, the company took down 20 million posts for hate speech, according to company reports. Roughly three quarters (16 million) was taken down algorithmically before a user reported it. The remaining 4 million were flagged by contracted content moderators and/or escalated to content operations teams within Facebook company offices. If the content comes to these Facebook employees in a team called 'Strategic Response', they can rope in other local teams, such as legal. Public policy is often involved if there are certain sensitive risk factors, such as political risk, that need to be considered, sources said. If internal groups disagree, the decision is escalated, potentially all the way up to Zuckerberg himself. When Facebook India escalated the February Delhi riots as an event under the "Dangerous Individuals and Organisations" policy, it ultimately required the global team to sign off on it. Once labeled, any content promoting the riots was blocked globally. Other companies function similarly. Former and current executives in Google told The Indian Express that content moderation and public policy remain separate, but that public policy units are allowed to help input or guide decisions, especially if the decision could lead to significant political or government backlash. Twitter officials said their verticals remain completely separate.

The situation in India

The WSJ report said Facebook's top public policy executive in India cited government-business relations to not apply hate-speech rules to BJP-linked individuals and groups internally flagged for violent speech. A Facebook spokesperson told The WSJ that the concerns of the executive were only one input in the deliberation. The report's findings on a "pattern of favouritism" towards the BJP calls into question the personal political leanings of company officials, and their ability to dominate content deliberations in these processes.

FACEBOOK SHOULD BE TREATED AS CO-ACCUSED IN RIOTS: GOVT. PANEL

The Delhi Assembly's committee on peace and harmony said that prima facie it seemed that Facebook had a role in the Delhi riots that broke out in February. The panel added that Facebook India officials will be issued notices to appear at its next meeting.

'Hypocrisy is real'

"When Black Lives Matter movement started in America, Facebook implemented its community standards. Following their by-laws, they worked to strengthen brotherhood between communities. The content, which affected the brotherhood between different communities, was removed from the platform. But when the Delhi riots happened, Facebook did not implement the same standards. Facebook's hypocrisy is clear from this," the AAP leader said. The committee said the deposition and evidence tendered to the committee revealed that there have been "major lapses" by Facebook India in applying their community standards. "All the witnesses have strongly agreed that an independent probe must be carried out against the alleged role and complicity of Facebook in the orchestration of Delhi riots," the statement read. Mr. Chadha also said evidence submitted by witnesses showed there was an effort to incite a riot in Delhi before the Assembly election in February.



CENTRE LAUNCHES 24/7 TOLL-FREE MENTAL HEALTH REHAB HELPLINE

The Union Social Justice and Empowerment Ministry launched a 24/7 toll-free helpline to provide support to people facing anxiety, stress, depression, suicidal thoughts and other mental health concerns. The mental health rehabilitation helpline, KIRAN, can be called from landline and mobile phones across the country at the number 1800-599-0019, the Ministry announced. In a statement, the Ministry said the helpline had been launched “in view of the growing incidence of mental illness, particularly in the wake of the COVID-19 pandemic.”

Lack of professionals

Speaking during the online launch event, Joint Secretary Prabodh Seth said there was a shortage of qualified mental health professionals while 10.6% of adults and 7.3% of adolescents faced mental illness, according to a NIMHANS survey in 2015-2016. He said the helpline operators had been sensitised not to ask the caller for name or any identification details. The helpline would function as the first step for callers to get advice, counselling and referral to psychologists and psychiatrists, the statement said. The helpline will be available in 13 languages and has 660 clinical/rehabilitation psychologists and 668 psychiatrists as volunteers.

‘HALADI’ LOSES ITS FLAVOUR AMID PANDEMIC

A year after the famed organic turmeric of Odisha’s Kandhamal district received the geographical indication (GI) tag, thousands of farmers who hoped to make a profit out of the crop are cursing themselves. With COVID-19 sweeping across the region, the farmers have been left high and dry as procurement of the condiment has been badly affected by the pandemic. Though Kandhamal saw a bumper yield this year, less than 20% of raw turmeric has been sold so far, leaving the rest of the produce with the farmers. Those who were in urgent need of cash had no choice, but to sell turmeric at a throwaway price of ₹30 to ₹35 per kg.

Unscrupulous traders

Taking advantage of the COVID-19 restrictions, unscrupulous traders have been quoting prices below ₹40 for a kilo of the tuber whereas the Kandhamal Apex Spices Association for Marketing (KASAM), the government-backed cooperative agency, offers ₹60 per kg. With more than 60% of the geographical area covered with hills and forest, Kandhamal offers ideal conditions for cultivation of various spices including turmeric, ginger, mustard and tamarind. *‘Kandhamal Haladi’ for which GI tag has been received is a pure organic product. Tribals grow the tuber without applying fertiliser or pesticide. The aromatic value and golden yellow colour of ‘Kandhamal Haladi’ make it stand out from the rest.* The cultivation begins in the summer months of April and May.

UNDERSTANDING THE NDPS ACT UNDER WHICH RHEA CHAKRABORTY HAS BEEN BOOKED

What is the NDPS Act under which Rhea Chakraborty has been booked?

Actor Rhea Chakraborty and nine others so far have been booked under various sections of the Narcotic Drugs and Psychotropic Substances (NDPS) Act by the Narcotics Control Bureau (NCB). *The NDPS Act, enacted in the country in 1985, is the primary legislation for dealing with drugs and their trafficking. It was passed as India had to fulfil obligations as a signatory of various international conventions on narcotic drugs and psychotropic substances to prevent its use and illicit*



trafficking. It has various provisions to punish manufacturing, sale, possession, consumption, use, transport of banned drugs. Punishment under the Act can vary based upon the sections the accused is charged. The Act has provisions for the court to grant immunity from prosecution to an addict involved in a small quantity of drugs after they voluntarily seek to undergo medical treatment for deaddiction under section 64A. The Act also has the maximum punishment of the death penalty under section 31A for certain offences involving commercial quantities of a drug if the accused has been convicted before as well. The central government can add or omit from the list of psychotropic substances. For instance, in 2015, the central government classified mephedrone – also called as meth or meow meow – as a psychotropic substance in the Act after its popularity grew among the youth and experts warned of its grave health consequences.

SOMETHING ROTTEN

A young talented Bollywood actor tragically ended his life on June 14. But the events that followed Sushant Singh Rajput's death by suicide have been even more shocking. On full display in the subsequent weeks were *some of the worst regressive traits of Indian society, from misogyny, invasion of privacy, voyeuristic glee to a collective loss of clarity*. All hell broke loose soon after his family accused the 34-year-old actor's girlfriend Rhea Chakraborty, 28, of foul play; the grief-stricken father said she had poisoned his son and filed an FIR charging Rhea with 'abetment to suicide', a crime punishable by up to 10 years in prison. A section of the media pounced on Rhea, terming her a gold digger, and handed out instant verdicts in the newsroom. Anchors appeared to have little time to discuss India's crossing four million COVID-19 cases, the 23.9% GDP contraction or the heightened border tensions. That Sushant hailed from poll-bound Bihar added a political dimension impossible to ignore. The actor, reported to have been suffering from depression, lived in Mumbai, which is now ruled by estranged Bharatiya Janata Party partner, the Shiv Sena, together with the Nationalist Congress Party and Congress, and *his demise has become political fodder crossing limits of decency, drawing in other Bollywood celebrities*.

The spotlight is firmly on Indian society and its deeply entrenched prejudices. Women's rights activists have spoken up against the demonisation of Rhea, and how gender, the clothes she wore, the undefined relationship she had with the actor, all played a role. What is perhaps more disturbing is that many women, far from empathising with a girl who lost her boyfriend in such circumstances, have been quick to pronounce Rhea guilty of any number of wrongdoings. That people could erupt with joy at her arrest on charges not directly related to the death is an indication that vague demands of justice for Sushant have played out as a blood sport. *A mob that seems to find its voice through TV anchors and social media appears to have overruled ideas of justice, fairness and even the law.* It is important that India's criminal justice system delivers justice in this case.

AN UNEDIFYING SPECTACLE (MOHAMMED AYOUB - UNIVERSITY DISTINGUISHED PROFESSOR EMERITUS OF INTERNATIONAL RELATIONS, MICHIGAN STATE UNIVERSITY)

The treatment of the Sushant Singh Rajput case by many TV news channels is a good example of how the interrelated concerns about ratings and revenues drive news coverage in substantial parts of the electronic media. Many of the national news channels have been devoting most of their time covering the controversies surrounding the unfortunate death of the up and coming actor. This is done in two formats. First, they attempt to provide "factual" coverage of the case through accounts by their reporters of the latest developments in the case that they have gleaned



from their “sources”. Second, invited guests billed as experts on this and other similar cases analyse these developments. It is clear that many of these analysts’ comments based on incomplete information are akin to shooting in the dark. What is worrying is that several channels have transformed themselves into investigative agencies thus appropriating the role that belongs to the police, the Central Bureau of Investigation (CBI) and other government agencies. These channels compete with each other to show largely unverified details of the case sometimes implying that such developments implicate one person or another. A great deal of this information, according to them, is collected from WhatsApp messages, details of telephone records, and video recordings. There is little corroboration of the authenticity of such evidence by reputable and independent testing agencies. Moreover, some of the WhatsApp messages contradict what is being claimed in other messages. This leaves the viewer flummoxed.

A matter of concern

What is more disturbing is the claim by some channels that they have received much of the information on the case from investigative agencies ranging from the Enforcement Directorate to the CBI. The authorities need to verify if such claims are true. And if they are proved to be false, legal action should be taken against the offending channels. However, if their claims are true, this is a matter of greater concern because it could bring into serious doubt the reputation of India’s premier investigative agencies that may stand accused of making public details of an ongoing investigation and violating service rules. Furthermore, such leaks, if they have taken place, will leave pivotal agencies of the government open to legal challenges during the course of the case, especially if it turns out that the information allegedly leaked by them does not correspond to the eventually discovered facts.

Blanket coverage

An equally major offence that these news channels are committing is to turn the case of the unfortunate death of Sushant not only into a spectacle but also a matter of such national importance that it has almost completely dwarfed the coverage of multiple grave problems facing the nation. These include the pandemic that shows no sign of abating with cases rising exponentially and putting the public health system under unbearable strain. They also include the serious economic downturn that predates the pandemic but has been greatly exacerbated by the drastic reduction of economic activity following the outbreak. The sorry plight of millions of migrant labourers caused by the lockdown has been almost totally ignored in the rush to cover this case. The tensions on the India-China border that have the potential to escalate into a serious military conflict have also been all but forgotten. The mainstream electronic news media, it can be argued, has demonstrated a serious lack of judgment by distorting national priorities in its coverage presumably in search of ratings. If true, this shows a lack of moral sense that has turned an unfortunate death into a melodrama in order to capture viewership and increase revenues. So far, the social media has been the target of attack for irresponsible behaviour. The coverage of this case by the mainstream electronic news media lays it open to the same charge.

POLICE AND JUDICIAL CUSTODY IN CONTEXT OF RHEA CHAKRABORTY CASE

In the drugs case linked to Sushant Singh Rajput’s death, actor Rhea Chakraborty was on Tuesday arrested by the Narcotics Control Bureau, which is the apex drugs law enforcement agency in the country. After being produced before court she was remanded to the Judicial Custody. A quick



look at the concepts of arrest, the police custody and the judicial custody which may follow the arrest and the difference between them.

The concept of arrest and procedures related to it

In India, the various procedures of the administration of the criminal law are governed by the legislation called the *Code of Criminal Procedure or Criminal Procedure Code (CrPC), which came into force in 1973, after its enactment building up on the British era legislation. Chapter 5 of the CrPC starting from section 41 lists the legal provisions about the arrest.* Arrest primarily means putting restrictions on the movement of a person. It can be done by a police officer or officer of investigating agency if the officer is satisfied that the arrest is necessary: to prevent the person from committing the offence further, to prevent tampering of evidence, for proper investigation, to prevent the person from dissuading those acquainted with facts and more. As per the provisions, an arrested person has the right to be informed about grounds of arrest and there is obligation on the person making the arrest, to inform about the arrest, to a nominated person. Arrested person also has the right to meet an advocate of choice during interrogation. The law also makes an examination by a medical practitioner mandatory after the arrest. *The arresting authority can not detain a person in custody for more than 24 hours without producing him or her before a magistrate as per section 57 of CrPC. The Article 22 of the Constitution of India also has provisions for protection of a person during arrest or detention.*

Police custody and judicial custody

Whenever a person is arrested by police or investigating agency and detained in custody and if the investigation can not be completed in 24 hours, the person is mandated to be produced before a magistrate court. The section 167 of CrPC and subsequent provisions lay down procedures that may follow in various scenarios. The magistrate may further remand the person to custody of police for a period not more than 15 days as a whole. The police custody means that the person is confined at a lock up or remains in the custody of the officer. After lapse of 15 days or the police custody period granted by the magistrate, the person may be further remanded to judicial custody. Judicial custody means that the person is detained under the purview of the judicial magistrate is lodged in central or state prison. Section 167 also has some amendments which are specific to individual states in the country. Very elaborate legal provisions and case laws following rulings of the higher courts make this issue extremely complex, multi faceted and open to interpretations. In some cases investigation agencies may not seek police custody immediately and one of the reasons can be judicious use of the maximum 15 days at their disposal. In some cases courts may directly remand a person to judicial custody, if the court concludes that there is no need of police custody or extension of police custody. In judicial custody, the person can apply for a bail as per the CrPC chapter 33 pertaining to the bails and bonds. The judicial custody can extend up to 60 or 90 days as a whole, depending upon the maximum punishment prescribed for the offence. An undertrial person can not remain in judicial custody beyond half the time period of prescribed maximum punishment.

Difference between two the custodies

Apart from basic differences pertaining to the purview and place of detention there are some basic differences between the two. *In police custody, the investigating authority can interrogate a person while in judicial custody, officials need permission of the court for questioning. In police custody, the person has the right to legal counsel, right to be informed of the grounds which the police have to*



ensure. In the judicial custody in jails, while the person under responsibility of the magistrate, the Prison Manual comes into picture for routine conduct of the person.

BUSINESS & ECONOMICS

DESPITE THE MESSAGING, IT IS STILL ADVANTAGE CHINA (KATHERINE B. HADDA - ADJUNCT FELLOW WITH THE CSIS WADHWANI CHAIR IN U.S.-INDIA POLICY STUDIES AND A PRIOR SENIOR U.S. DIPLOMAT WHO MOST RECENTLY SERVED AS THE U.S. CONSUL GENERAL IN HYDERABAD)

Many U.S. companies as well as the analysts who advise them are cognisant of India's goal of becoming an alternative supply source and investment destination to China. But based on conversations I have had with a number of different organisations and companies here in Washington, it is fair to say that expectations are tempered. First, despite media reports and strong messaging from Washington, fewer U.S. companies than predicted might quit the People's Republic of China (PRC). Companies focused on the Chinese domestic market rather than as a base for exports will likely remain, at least for now. Those that do leave may not choose India as a relocation destination. Despite New Delhi's noted success in attracting Apple suppliers to India, many U.S. companies with experience working with China are not convinced that India has the PRC's established industrial base and expertise. They also see other Asian countries as more competitive. To change their minds, these sceptics must be convinced that India offers the benefits of China with fewer risks.

The good and bad points

To be sure, India's identity as a democratic "un-China" is one of its strongest selling points. There are *no Indian government hackers stealing foreign companies' industrial secrets. Although Indian officials may have spurned a meeting with Amazon's chief executive officer Jeff Bezos due to negative India-related reporting in his The Washington Post newspaper, that is a far cry from the coercive tactics that Beijing employs against criticism by foreign companies both within and outside of its borders.* India's open and *vibrant press, independent judiciary*, and other advantages of democratic governance also provide a favourable contrast to China. Yet, India might appear more like China to potential foreign investors than New Delhi might think, particularly given policies that seemingly disadvantage foreign investors who pose the greatest competitive threat to India's domestic counterparts. To be clear, India's goal of creating national champions is not necessarily anti-competitive in itself. But when policies such as taxes on foreign e-commerce companies and education providers seem constructed to disadvantage foreign investors, investors will stay away. India's large and increasingly well-off domestic market, while alluring, will likely not convince foreign companies to accept limits and conditions they might not accept elsewhere. Although early foreign investors in China endured years of losses caused by disadvantageous PRC policies, today's shareholders demand more accountability and faster profit-making from companies in which they are invested. There are also now many more competitor investment destinations, both within and outside of Asia.

Why China scores

Despite many documented negatives and the overall sour foreign relations picture right now, China continues to offer investors many advantages, such as a *manufacturing infrastructure and*



skill level that allows innovations to move quickly from prototype to product. This took decades of strategic planning. India's own planning has been impressively stepped up in recent months, with the government identifying key sectors; surveying major companies about perceived roadblocks to Indian investments; and increasing Invest India's outreach. But more is needed. For example, China's specialised industrial zones are massive, collocating companies, factories, logistics, and even research and universities. The Indian government Budget that pledged to create equivalent zones is too small and is allocated among too many locations to compete.

Focus on States

The recent World Trade Organization (WTO) dispute panel ruling against India's special economic zones policies, which the Indian government intends to appeal, might actually provide a chance to take a fresh look at the kinds of WTO-consistent industrial bases that are possible. New Delhi can start by focusing development in those Indian States that have already demonstrated the ability to produce and export in key sectors. Foreign capital could also greatly increase infrastructure funds beyond government spending alone. India might also usefully build up new industrial centres with an eye to geography, for example linking the southeast of the country to supply chains in Southeast Asia. In fact, by putting resources into States not led by the ruling national party, India will signal clearly that it is committed to economic openness, no matter who is in power, reassuring investors.

Work on the framework

India has taken a great step to reduce the number of investments needing approval by the Centre, and to increase intra-Ministry coordination on foreign direct investment policies. The same coordination could usefully be extended to the appointment of a high-level official or body in the Prime Minister's Office to ensure any and all proposed economic policy changes are consistent with the goal of attracting foreign investment. A policy framework that is transparent, predictable, and provides increased consultations with existing and potential foreign company stakeholders before introducing new Indian economic policies, will play a crucial role in determining India's foreign investment outlook.

WHAT COUNTS AS 'ACT OF GOD'?

The Covid-19 pandemic and the lockdown imposed across the globe to contain the spread of the virus has resulted in major disruptions in economic activity. Businesses are looking towards a legal provision — the force majeure or "Act of God" clause that has its origins in the Napoleonic Code — to cut losses. This week, attributing the shortfall in GST collections to disruptions due to Covid-19, Finance Minister Nirmala Sitharaman said the economy is facing an Act-of-God-like situation. *On February 19, The Finance Ministry had issued an office memorandum inviting attention to the force majeure clause (FMC) in the 2017 Manual for Procurement of Goods issued by the Department of Expenditure clarifying that the pandemic "should be considered a case of natural calamity and FMC may be invoked, wherever considered appropriate".*

What is a force majeure clause?

The law of contracts is built around a fundamental norm that the parties must perform the contract. When a party fails to perform its part of the contract, the loss to the other party is made good. However, the law carves out exceptions when performance of the contract becomes



impossible to the parties. *A force majeure clause is one such exception that releases the party of its obligations to an extent when events beyond their control take place and leave them unable to perform their part of the contract. FMC is a clause that is present in most commercial contracts and is a carefully drafted legal arrangement in the event of a crisis. When the clause is triggered, parties can decide to break from their obligations temporarily or permanently without necessarily breaching the contract.* Companies in such situations use the clause as a safe exit route, sometimes in opportunistic ways, without having to incur the penalty of breaching the contract. Generally, an “Act of God” is understood to include only natural unforeseen circumstances, whereas force majeure is wider in its ambit and includes both naturally occurring events and events that occur due to human intervention. However, both concepts elicit the same consequences in law.

What situations legally qualify for use of force majeure?

While some contracts have clauses with standard circumstances, some contracts would have specific circumstances that are more focused. For example, a shipping contract would have a force majeure clause that could cover natural disaster like tsunami. War, riots, natural disasters or acts of God, strikes, introduction of new government policy imposing an embargo, boycotts, outbreak of epidemics and such situations are generally listed. If an event is not described, then it is interpreted in a way that it falls in the same category of events that are described. *A force majeure clause is negotiated by parties, and events that could potentially hamper the performance of the contract are catalogued.* It is not invoked just by expressing that an unforeseen event has occurred. *In case a contract does not have a force majeure clause, there are some protections in common law that can be invoked by parties. For example, the Indian Contract Act, 1872 provides that a contract becomes void if it becomes impossible due to an event after the contract was signed that the party could not prevent.*

What happens when a force majeure clause is triggered?

If a party to a contract believes that the other party has invoked the force majeure clause in an unjustified situation, it can move court seeking performance of the contract. Courts read the wording of the clause closely to allocate risks between the parties. *Court rulings have established that force majeure cannot be invoked when performance of the contract has become difficult, but only when it has become impossible.* It looks into whether the party arguing impossibility of performance has tried all other avenues to fulfil its liabilities before invoking force majeure. For example, *in a 2017 case, the Supreme Court cited a 1961 House of Lords decision that ruled that the closure of Suez Canal, although unforeseen, had not rendered a contract to ship goods from Africa impossible since a longer route around the Cape of Good Hope existed.* Vaguely indicating that the pandemic failed the contract would face a legal challenge. The court would look into specifics like whether a lockdown imposed to contain the pandemic locally prevented performance of the contract. The court would also look into how unforeseen the cited circumstance really is when catalogued in the contract specifically. *Global contracts signed after the initial outbreak in Wuhan could fail scrutiny if the contracts do not take into account viral pandemics.* In April this year, the Bombay High Court did not accept the force majeure argument in a case where the petitioner argued that Covid-19-related lockdowns had frustrated a contract for supply of steel. Although the decision factored in other arguments, the vague construction of the pandemic reason did not cut ice with the court.

Are there other global precedents dealing with pandemics and force majeure?



In China, where the Covid-19 outbreak originated, the Council for Promotion of International Trade is issuing force majeure certificates to businesses. China's Supreme People's Court had recognised the 2002 SARS outbreak as a force majeure event. Singapore enacted the Covid-19 (Temporary Measures) Act in April to provide relief to businesses that could not perform their contractual obligations due to the pandemic. The Paris Commercial Court in July ruled that the pandemic could be equated to a force majeure event. In the UK, the Financial Conduct Authority has brought in a test case before the High Court to look into business insurance contracts and interpret the standard wordings in such contracts. The ruling, which is now reserved by the court, will be binding on insurers and will provide a framework to interpret similar contracts in court cases in Scotland and Northern Ireland. The International Chamber of Commerce has developed a Model Code on the force majeure clause reflecting current international practice. The Code states that the impediment triggering the operation of the force majeure clause must be beyond the party's reasonable control; and that it could not reasonably have been foreseen at the time of the conclusion of the contract; and that the effects of the impediment could not reasonably have been avoided or overcome by the affected party.

The Compensation Act mandates compensating the states for revenue loss on GST implementation from the Compensation Fund. Modi quotes former Finance Minister, the late Arun Jaitley, to make his point. Jaitley had said that "in case the amount in the GST Compensation Fund fell short of the compensation payable, the GST Council shall decide the mode of raising additional resources including borrowing from the market which could be repaid by collection of cess in the sixth year or further subsequent years". "The Council had agreed to this suggestion. Quite clearly, the sense of the house and, consequently, the decision of the Council, was that it is the Council (and not the Government of India) that shall decide the mode of raising additional resources in the event of a shortfall," writes Modi. Additional resources could be raised by increasing the tax or the cess but in the present difficult times it would not be advisable to raise the burden of either the tax or the cess; if anything, it is the time to mitigate the burden on the common man. Hence, the only way out of this difficult situation is borrowings. The question is: Who should borrow — the Centre or the states? Modi asserts that it would be "financially imprudent for the Centre to borrow since large borrowings by the Centre would push up the bond yield rates, which in turn would push up the bond yield of the states setting off a spiral leading to hike in the interest rates for businesses and individuals. The states' borrowing would become costlier if the Centre were to borrow for this purpose". He writes that the Centre has already breached the budgeted borrowing limits for the current year in the first four months itself. Thus, he believes, it makes sense for the states to borrow. "I think the states should come forward and work with the Centre in the true spirit of cooperative federalism that the Council has come to be known for these past few years," he concludes.

The Centre has also contended that of the projected shortfall of about ₹2.35 lakh crore, only ₹97,000 crore is the deficit arising out of GST implementation, with the balance ₹1.38 lakh crore attributable to an 'act of God' (the COVID-19 pandemic) that is independent of implementation of the new indirect tax regime. Accordingly, Option 1 entails the States selling debt securities in the market to raise the ₹97,000 crore. The Centre will "endeavour" to keep the interest cost on these borrowings "at or close to" the yield on G-Sec (bonds issued by the Government of India), and in the event of the cost being higher, bear a part of the difference through a subsidy. This additional borrowing by the States will not be accounted for as a part of the State's debt for purposes of its overall debt calculation, and the repayment of the principal and interest on these borrowings will be done from the Compensation Fund by extending the period of cess collections beyond 2022. Under Option 2,



the States can sell debt in the market to raise the entire ₹2.35 lakh crore shortfall but with the terms of the borrowing being far less favourable. *Crucially, here the interest cost would have to be borne by them with only the principal being serviced by the Compensation Fund.*

Using an equivalent of the Force Majeure clause in commercial contracts, the Centre is abdicating its responsibility of making up for the shortfall in 14% growth in GST revenues to the states.

The onus is on the Centre

This is wrong on many counts. First, the *States do not have recourse to multiple options that the Centre has*, such as issue of *a sovereign bond (in dollars or rupees) or a loan against public sector unit shares* from the Reserve Bank of India. Second, the Centre can anyway command *much lower rates of borrowing* from the markets as compared to the States. Third, in terms of aggregate public sector borrowing, it does not matter for the debt markets, nor the rating agencies, whether it is the States or the Centre that is increasing their indebtedness. Fourth, *fighting this recession through increased fiscal stimulus is basically the job of macroeconomic stabilisation, which is the Centre's domain.* Fifth, and most importantly, breaking this important promise, *using the alibi of the COVID-19 pandemic causes a serious dent in the trust built up between the Centre and States.* Cooperative federalism is in the nature of a “repeated game” between the two entities, and every action must think of the future consequences, not just the immediate ones. Will it not weaken the foundation of trust? Kautilya too would have advised the sovereign against renegeing on the promised bailout, as fulfilling the obligation helps build trust with sub-sovereigns.

INDIA'S GDP GROWTH CONTRACTS 23.9%: WHAT IS THE ECONOMICS BEHIND THE MATH?

Although most people expected India's GDP to show substantial contraction when the *Ministry of Statistics and Programme Implementation (MoSPI)* released the data for the first quarter (April, May, June) of the current financial year on Monday, the broad consensus was that the decline would not exceed 20%. As it turns out, the GDP contracted by 24% per cent in Q1. In other words, the total value of goods and services produced in India in April, May and June this year is 24% less than the total value of goods and services produced in India in the same three months last year. Almost all the major indicators of growth in the economy — be it production of cement or consumption of steel — show deep contraction. Even total telephone subscribers saw a contraction in this quarter. What is worse is that, because of the widespread lockdowns, the data quality is sub-optimal and most observers expect this number to worsen when it is revised in due course.

What is biggest implication?

With GDP contracting by more than what most observers expected, it is now believed that the full-year GDP could also worsen. *A fairly conservative estimate would be a contraction of 7% for the full financial year.* Since economic liberalisation in the early 1990s, Indian economy has clocked an average of 7% GDP growth each year. This year, it is likely to turn turtle and contract by 7%. In terms of the gross value added (a proxy for production and incomes) by different sectors of the economy, data show that *barring agriculture, where GVA grew by 3.4%, all other sectors of the economy saw their incomes fall.* The worst affected were *construction (-50%), trade, hotels and other services (-47%), manufacturing (-39%), and mining (-23%).* It is important to note that *these are the sectors that create the maximum new jobs in the country.* In a scenario where each of these sectors is contracting so sharply — that is, their output and incomes are falling — it would lead to



more and more people either losing jobs (decline in employment) or failing to get one (rise in unemployment).

What causes GDP contraction? Why hasn't the government been able to curb it?

In any economy, the total demand for goods and services — that is the GDP — is generated from one of the *four engines of growth*. The biggest engine is consumption *demand from private individuals*. Let's call it **C**, and in the Indian economy, *this accounted for 56.4% of all GDP* before this quarter. The second biggest engine is the demand generated *by private sector businesses*. Let's call it **I**, and this *accounted for 32% of all GDP* in India. The third engine is the *demand for goods and services generated by the government*. Let's call it **G**, and it accounted for *11% of India's GDP*. The last engine is the net demand on GDP after we subtract imports from India's exports. Let's call it **NX**. In India's case, it is the smallest engine and, *since India typically imports more than it exports, its effect is negative on the GDP*.

So total GDP = C + I + G + NX

Private consumption — the biggest engine driving the Indian economy — has fallen by 27%. In money terms, the fall is of ₹5,31,803 crore over the same quarter last year. The second biggest engine — *investments by businesses — has fallen even harder — it is half of what it was last year same quarter*. In money terms, the contraction is ₹5,33,003 crore. So the *two biggest engines, which accounted for over 88% of Indian total GDP, Q1 saw a massive contraction. The NX or the net export demand has turned positive in this Q1 because India's imports have crashed more than its exports*. While on paper, this provides a boost to overall GDP, *it also points to an economy where economic activity has plummeted*. That brings us to the last engine of growth — the government. As the data shows, *government's expenditure went up by 16% but this was nowhere near enough to compensate for the loss of demand (power) in other sectors (engines) of the economy*. Looking at the absolute numbers gives a clearer picture. When the demand from C and I fell by ₹10,64,803 crore, the government's spending increased by just ₹68,387 crore. In other words, *government's spending increased but it was so meagre that it could cover just 6% of the total fall in demand being experienced by people and businesses. The net result is that while, on paper, government expenditure's share in the GDP has gone up from 11% to 18% yet the reality is that the overall GDP has declined by 24%*. It is the lower level of absolute GDP that is making the government look like a bigger engine of growth than what it is.

What is the way out?

When incomes fall sharply, private individuals cut back consumption. When private consumption falls sharply, businesses stop investing. Since both of these are voluntary decisions, there is no way to force people to spend more and/or coerce businesses to invest more in the current scenario. The same logic holds for exports and imports as well. *Under the circumstances, there is only one engine that can boost GDP and that is the government (G)*. Only when government spend more — either by building roads and bridges and paying salaries or by directly handing out money — can the economy revive in the short to medium term. If the government does not spend adequately enough then the economy will take a long time to recover.



What is holding back the government from spending more?

Even before the Covid crisis, government finances were overextended. In other words, it was not only borrowing but borrowing more than what it should have. As a result, today it doesn't have as much money. It will have to think of some innovative solutions to generate resources.

HOW WILL TELECOM FIRMS PAY AGR DUES OVER THE NEXT 10 YEARS?

The Supreme Court Tuesday held that telecom firms will get 10 years to clear their adjusted gross revenue or AGR dues, and that the National Company Law Tribunal (NCLT) should decide whether or not spectrum can be sold under the Insolvency and Bankruptcy Code. The top court also said due to the current Covid-19 situation, telcos should pay 10 per cent of the total dues by March 31, 2021.

What did the Supreme Court rule on AGR dues?

In its judgment Tuesday, the top court gave all telcos a 10-year timeline to complete the payments of AGR dues, instead of the old 20-year schedule suggested by the DoT. The top court also directed telcos to pay 10 per cent of the total AGR dues by March 31, 2020, following which they can make payments in annual installments between 2021 and 2031. Telecom companies would also have to make payments on or before February 7 every year. The non-payment of dues in any year would lead to accrual of interest and invite contempt of court proceedings against such companies. The managing directors of the telcos which are required to pay AGR will deposit a personal guarantee within four weeks from today. A crucial issue of whether the spectrum could be sold under Insolvency and Bankruptcy Code will now be decided by the National Company Law Tribunal, the Supreme Court said.

What is the AGR issue?

All the telecom companies that operate in India pay a part of their revenues as licence fee and spectrum charges to the Department of Telecommunications (DoT) for using the spectrum owned by the government. In its definition of AGR, the DoT had said that telcos must cover all the revenue earned by them, including from non-telecom sources such as deposit interests and sale of assets. The telecom companies were opposed to this and had challenged this definition of AGR in several forums, including the Supreme Court. On October 24, 2019, the SC had upheld the DoT's definition of AGR and said since the licensee had agreed to the migration packages, they were liable to pay the dues, the penalty on dues, and the interest on penalty due to delay in payments. The top court had then given the telcos three months to clear their AGR dues. Though the telcos sought a review of the judgment, it was dismissed by the top court which had then insisted that telcos clear all the dues by January 23, 2020.

Why did the Supreme Court extend the payment timelines?

Following requests by the DoT and the telecom companies that asking them to pay within such a short period of time could have meant the end of the road for them, the Supreme Court agreed to hear them on a revised timeline, but refused to reconsider the quantum of AGR to be paid by them. In an affidavit to the Supreme Court, the DoT had suggested that telcos be given up to 20 years to complete the payment of pending dues as calculated by the telecom ministry. These dues, the DoT suggested, could be paid by the telcos in annual instalments. In its plea before the SC, the DoT had



also suggested that the interest on the past unpaid amount, penalty and the interest on penalty with respect to past dues, be frozen as of October 24, 2019.

What does the AGR ruling mean for telcos?

For Bharti Airtel, which faced an AGR payment of ₹36,000 crore, a payment timeline of 10 year will come as a breather. The company has already paid close to 40 per cent or ₹14,400 crore AGR dues until now. It still has to pay ₹21,600 crore in total, of which ₹2,160 crore will have to be paid by March 31. The remaining amount of ₹19,440 crore will have to be paid in 10 yearly instalments, which comes to roughly ₹480 crore being shelled out by Bharti Airtel as AGR to the DoT every quarter for the next 40 quarters. For Vodafone Idea, which faces a payment of more than ₹58,000 crore, the situation is grim as it has paid ₹7850 crore AGR dues till date. The telco will have to pay nearly ₹1128.4 crore as AGR dues every quarter for the next 10 years. Both the companies had sought 15 years for making the AGR payment. Tata Teleservices, which had in 2017 sold its consumer mobility businesses to Bharti Airtel, will have to pay its AGR dues of ₹14,819 crore in total as SC has not allowed any recalculation of dues. The company, therefore will have to effectively pay roughly ₹333 crore in AGR dues every quarter for the next 40 quarters.

Without naming any company, the Centre had made clear that were the AGR dues to be sought at one go, it could well push a service provider into insolvency proceedings. Such a turn could potentially impact millions of subscribers, with the surviving operators finding their capacities stretched to handle a sudden surge of mobile portability requests while simultaneously maintaining quality of service.

The Indian Banks' Association (IBA) had also explained its position in seeking a judicious and non-disruptive outcome. The IBA represented the various lenders, who have much at stake given that industry debt including that which is under resolution as part of the Insolvency and Bankruptcy Code process amounts to over ₹4-lakh crore. *The Court, in its order, did take cognisance of the multiple threats to the industry's well-being:* the depressed levels of average revenue per user; the fraught competitive landscape where a new entrant's tariffs had triggered a price war hurting revenues; a surge in data usage even as the price of such data plans remained almost unviably low; and an overall diminishing ability to continue to invest in capital spending for infrastructure upgradation and new technology including the upcoming adoption of 5G networks. While the companies themselves are yet to decide on whether to seek a curative review of the latest verdict, the future of India's ambitious dreams of enabling a pan-Indian digital ecosystem that seamlessly connects the remotest rural inhabitant with a plethora of e-enabled services hinge on ensuring the industry stays healthy and vibrant. For that, the government needs to look beyond the AGR issue and reimagine the way it prices and seeks to monetise the precious yet immutable public asset of radio spectrum in future.

RBI SETS SECTORAL NORMS FOR RESOLUTION OF COVID-19 RELATED STRESSED ASSETS

The Reserve Bank specified five financial ratios and sector-specific thresholds for resolution of COVID-19 related stressed assets in 26 sectors, including auto components, aviation, and tourism. The circular issued by the RBI for resolution of stressed assets is based on the recommendations of the K.V. Kamath committee, which submitted its report on September 4. The key financial ratios suggested by the committee are total outside liabilities/adjusted tangible network; total



debt/EBITDA; current ratio, which is current assets divided by current liabilities; debt service coverage ratio; and average debt service coverage ratio.

Specified sectors

The 26 sectors specified by the RBI include automobiles, power, tourism, cement, chemicals, gems and jewellery, logistics, mining, manufacturing, real estate, and shipping among others. The RBI said the ratios prescribed “are intended as floors or ceilings, as the case may be, but *the resolution plans shall take into account the pre-COVID-19 operating and financial performance of the borrower and impact of COVID-19 on its operating and financial performance at the time of finalising the resolution plan*, to assess the cashflows in subsequent years, while stipulating appropriate ratios in each case.” It also said lending institutions may, at their discretion, adopt a graded approach depending on the severity of the impact on borrowers while implementing the resolution plan.

RESERVE BANK REVISES AUDIT NORMS FOR BANKS

The RBI came up with revised *long format audit report (LFAR) norms* with a view to improving the efficacy of internal audit and risk management systems. *The LFAR, which applies to statutory central auditors (SCA) and branch auditors of banks, has been updated keeping in view the large scale changes in the size, complexities, business model and risks in banking operations*, the RBI said. The revised LFAR format will be put into operation for the period covering 2020-21 and onwards, the central bank said. “The overall objective of the LFAR should be to identify and assess the gaps and vulnerable areas in the business operations, risk management, compliance and the efficacy of internal audit and provide an independent opinion on the same to the Board of the bank and provide their observations,” the RBI said. While issuing the revised norms, the RBI asked the banks to ensure timely receipt of the LFAR from auditors. The RBI further said that the LFAR should be placed before the Audit Committee of Board and Local Advisory Board of the bank indicating the action taken or proposed to be taken for rectification of the irregularities. *Under the new norms, the banks would be required to send a copy the LFAR and the relative agenda note, together with the Board’s views or directions, to the Reserve Bank within 60 days of submission of the LFAR by the statutory auditors.* The RBI said the coverage in the LFAR should be ‘credit risk areas’, ‘market risk areas’, assurance functions and operational risk areas’, ‘capital adequacy’ and ‘going concern and liquidity risk assessment’, among others.

RUPEE GAINS NEARLY 2% IN A WEEK: WHAT ARE THE FACTORS DRIVING THE UPSWING?

The rupee rose nearly two per cent to 73.40 against the US dollar last week as foreign portfolio investors (FPIs) pumped more money into Indian markets and the Reserve Bank of India refrained from intervening in the foreign exchange market.

Why are FPIs pumping money?

FPIs have bought ₹46,602 crore worth of shares so far in August, the highest monthly inflow in calendar year 2020. FPIs are making use of the interest rate differential to bring in dollars. Analysts said dollar inflows into the stock market and gains in other Asian currencies boosted the rupee’s value. The US Federal Reserve’s recent policy shift towards hotter inflation could further boost inflows and boost the rupee’s value, traders said. Globally, risk sentiments have



strengthened on aggressive stimulus by the US Fed and there have been sharp inflows into the stock market. As a result, the Sensex gained over 1,000 points at 39,467.31 last week.

Why is RBI keeping away?

The RBI which bought \$ 59.74 billion of forex reserves since April 1 this year to boost the country's reserves did not intervene in the market to prevent the rupee appreciation in the bygone week.

When the RBI buys dollars, it releases equivalent amount in the rupees into the system which, in turn, could put pressure on inflation and yields.

"The sharp fall in USD-rupee spot has been unexpected and traders are in shock. Initially, the RBI was protecting the 74.50 zone but its absence has led to a free fall. The question arises whether can we expect the RBI intervention going ahead or it is comfortable with current levels," said Rahul Gupta, Head of Research, Emkay Global Financial Services.

What was the US Fed policy shift?

The US Federal Reserve recently signalled a major shift in its approach to managing inflation in a bid to aid the country's economy's recovery. It will now target an "average" of two per cent inflation, rather than making a fixed two per cent target, giving it more flexibility, Fed chief Jerome Powell said. The new policy will allow the bank to keep interest rates lower for longer, stimulating growth to help tackle unemployment. The Fed move will lead to more capital flows to emerging markets like India.

What's the impact on gold prices?

Gold prices, which had recently retreated from the all-time high levels, rebounded on Friday as traders began to incorporate the Fed's new policy which is focused on inflation. The dollar moved lower on Friday despite rising US yields, which helped to pave the way for higher gold prices.

DreamIAS



LIFE & SCIENCE

WHAT IS ZVEZDA, THE RUSSIAN FIRM MAKING SUITS FOR INDIA'S GAGANYAAN ASTRONAUTS

Glavkosmos, a subsidiary of the Roscosmos, the space agency of the Russian federations, announced on September 7 that Zvezda, a research and development enterprise, has started manufacturing space suits for Indian astronauts, who are likely to be part of the Gaganyaan mission.

What is Zvezda?

Established in 1952 as Factory No. 918, Zvezda is a Russian company which primarily designs, develops and produces portable life support systems for aircraft and spacecraft crew. The systems created by the company are also used in military and civil airplanes in Russia and abroad. Zvezda has also made significant contributions to the development of the International Space Station. Located 26 km southeast of Moscow, in Tomilino, *Zvezda is known for having developed most of the Russian spacesuits, including Yuri Gagarin's (the first human to travel to space) in 1961. Gagarin's suit still remains on display at the company's factory in Tomilino. Soviet cosmonaut Alexei Leonov, who became the first human to conduct a spacewalk in 1965, also wore a spacesuit developed by Zvezda. So was the flight jacket worn by Valentina Tereshkova, the first woman to fly in space in June 1963.*

Other than spacesuits, what else does Zvezda manufacture?

Following its establishment, Factory No. 918, as Zvezda was known then, also designed rocket-powered sledges to send animals to space. In the 1950s, many countries sent animals to space to test the survivability of human spaceflights. Zvezda's work in this field paved the way to send *Laika, a Soviet dog* and one of the first animals to visit space, on the Sputnik 2 on November 3, 1957, to orbit the earth. Among other things, space toilets have been designed and developed by the company over the decades. *Zvezda is also well known for its ejection seat, which has saved the lives of numerous pilots across the world.*

What is Zvezda's role in India's Gaganyaan mission?

Currently, the firm is not only making spacesuits for Indian astronauts who will travel to space as part of the Gaganyaan Mission but also their individual seats and custom-made couch liners.

What is Gaganyaan mission?

India's maiden manned spaceflight, a part of the Gaganyaan mission, is expected to carry three people to space for seven days. The mission was announced in August 2018 and will be completed before the 75th Independence Day in 2022. As part of the mission, there will be three launches — two unmanned followed by a manned one. The launch of the manned spacecraft is likely to take place in December 2021 or January 2022, after the astronauts complete their training by the first quarter of 2021.



Where are the astronauts being trained?

Four Indian Air Force fighter pilots are undergoing training at the *Gagarin Cosmonaut Training Centre in Russia*. The training programme, which began in February 2020, was put on hold following the outbreak of the novel coronavirus. It was again resumed in May.

What all are they being taught in Russia?

The Indian Space Research Organisation's Human Spaceflight Centre in Bengaluru has signed a contract with Gavrkosmos in June 2019 for the training of the four pilots. According to a statement issued by Roscosmos in August 2020, the astronaut-elects are attending "courses of the general space training programme and of the systems of the Soyuz MS crewed spacecraft". The statement further added that in June, "the Indian astronauts-elect passed training in short-term weightlessness mode aboard the IL-76MDK special laboratory aircraft, and in July, they were trained to lift aboard a helicopter while evacuating from the descent module landing point."

WHY MOST ASTEROIDS DO NOT POSE A THREAT TO EARTH

Once every few days, news headlines announce the approach of a new asteroid towards Earth, and social media platforms become abuzz with panicky users talking about doomsday scenarios. **Asteroid 465824 2010 FR**, "twice as big as the Pyramid of Giza" and expected to cross the Earth's orbit on September 6, has invited similar reactions— clinching alarming descriptions such as "rocky horror" and "dangerous asteroid". In reality, a civilisation-threatening risk from space objects is extremely rare— occurring once every few million years, according to NASA. The space agency has also played down the risk from 465824 2010 FR, saying: "Our #PlanetaryDefense experts are not worried about asteroid 2010 FR and you shouldn't be either because it has zero chance of hitting Earth. It will safely pass by our planet on Sept. 6 more than 4.6 million miles away—that's *more than 19 times the distance of our Moon!*"

What is an asteroid?

*Asteroids are rocky objects that orbit the Sun, much smaller than planets. They are also called minor planets. According to NASA, 994,383 is the count for known asteroids, the remnants from the formation of the solar system over 4.6 billion years ago. Asteroids are divided into three classes. First, those found in the main **asteroid belt between Mars and Jupiter**, which is estimated to contain somewhere between 1.1-1.9 million asteroids. The second group is that of **trojans**, which are **asteroids that share an orbit with a larger planet**. NASA reports the **presence of Jupiter, Neptune and Mars trojans**. In 2011, they reported an **Earth trojan** as well. The third classification is **Near-Earth Asteroids (NEA)**, which have orbits that pass close by the Earth. Those that cross the Earth's orbit are called **Earth-crossers**. **More than 10,000 such asteroids are known, out of which over 1,400 are classified as potentially hazardous asteroids (PHAs)**.*

What is the level of threat that Earth faces from asteroids?

*According to The Planetary Society, there are estimated to be around 1 billion asteroids having a diameter greater than 1 metre. **The ones that can cause significant damage upon impacting Earth are larger than 30 metres**. As per NASA's Near-Earth Object Observations Programme, **asteroids that are 140 metres or larger (bigger than a small football stadium) are of "the greatest concern" due to the level of devastation their impact is capable of causing**. However,*



it has been pointed out that no asteroid larger than 140 metres has a “significant” chance of hitting the Earth for the next 100 years. A meteoroid- a small particle from a comet or asteroid – the size of a football field impacts Earth every 2,000 years, causing serious damage to the area it hits. Asteroids the size of 1 km or more in diameter, capable of causing catastrophic worldwide effects, are extremely rare, impacting our planet once every 100,000 years. The probability of comets causing such damage is even lower, around once every 500,000 years. The Chicxulub impactor, the 10-kilometre diameter large space object that caused the sudden extinction of most dinosaur species, hit our planet 66 million years ago.

Are all space objects dangerous?

No. According to NASA, *every single day, the Earth receives more than 100 tonnes of dust and sand-sized particles from space. Every year, a car-sized asteroid enters our planet's atmosphere, and forms an impressive fireball. It burns up before reaching the Earth's surface.*

Is there a way to deflect asteroids?

Over the years, scientists have suggested different ways to ward off more serious threats, such as blowing up the asteroid before it reaches Earth, or deflecting it off its Earth-bound course by hitting it with a spacecraft. The most drastic measure undertaken so far is the Asteroid Impact and Deflection Assessment (AIDA), which includes NASA's *Double Asteroid Redirection Test (DART)* mission and the *European Space Agency's (ESA) Hera*. The mission's target is *Didymos, a binary near-Earth asteroid*, one of whose bodies is of the size that could pose a significant threat to Earth. In 2018, NASA announced that it had started the construction of DART, which is scheduled to launch in 2021 with an aim to slam into the smaller asteroid of the Didymos system at around 6 km per second in 2022. Hera, which is scheduled to launch in 2024, will arrive at the Didymos system in 2027 to measure the impact crater produced by the DART collision and study the change in the asteroid's orbital trajectory.

TWO BLACK HOLES MERGED BILLIONS OF YEARS AGO. WHY IS THIS PUZZLING SCIENTISTS?

Billions of years ago, a collision between two black holes sent gravitational waves rippling through the universe. In 2019, signals from these waves were detected at the gravitational wave observatory *LIGO (United States)* and the detector *Virgo (Italy)*. What has excited scientists, however, is the mass of one of the parent black holes, which defies traditional knowledge of how black holes are formed. The discovery and the analysis are described in two research papers. One, in *Physical Review Letters*, details the discovery and proposes possible ways in which the unusual merger may have taken place. The other paper, in *The Astrophysical Journal Letters*, discusses the signal's physical properties.

What exactly was detected?

It was a signal from a gravitational wave, a relatively new field of discovery. *Gravitational waves are invisible ripples that form when a star explodes in a supernova; when two big stars orbit each other; and when two black holes merge. Travelling at the speed of light, gravitational waves squeeze and stretch anything in their path. Gravitational waves were proposed by Albert Einstein in his General Theory of Relativity over a century ago. It was only in 2015, however, that the first gravitational wave was actually detected — by LIGO.* Since then, there have been a number of



subsequent detections of gravitational waves. The signal detected at LIGO and Virgo, as described by the LIGO Collaboration, resembled “about four short wiggles” and lasted less than one-tenth of a second.

Where did it come from?

Subsequent analysis suggested that GW190521 had most likely been generated by a merger of two black holes. The signal likely represented the instant that the two merged. It was calculated to have come from *roughly 17 billion light years away*, and from a time when the *universe was about half its age*. But these findings led to further questions. One of the two merging black holes falls in an “intermediate mass” range — a misfit that cannot be explained by traditional knowledge of how black holes form.

Why is it unusual?

All the black holes observed so far belong to either of two categories. One category ranges between a few solar masses (one solar mass is the mass of our Sun) and tens of solar masses. These are thought to form when massive stars die. The other category is of supermassive black holes. These range from hundreds of thousands, to billions of times that of our sun. According to traditional knowledge, stars that could give birth to black holes between 65 and 120 solar masses do not do so — stars in this range blow themselves apart when they die, without collapsing into a black hole. But in the merger leading to the GW190521 signal, the larger black hole was of 85 solar masses — well within this unexpected range, known as the pair instability mass gap. It is the first “intermediate mass” black hole ever observed. (In fact, the smaller black hole too is borderline, at 66 solar masses.) The two merged to create a new black hole of about 142 solar masses. Energy equivalent to eight solar masses was released in the form of gravitational waves, leading to the strongest ever wave detected by scientists so far.

How could the black hole of unusual mass have formed?

The researchers suggest that the 85-solar-mass black hole was not the product of a collapsing star, but was itself the result of a previous merger. *Formed by a collision between two black holes, it is likely that the new black hole then merged with the 66-solar-mass black hole — leading to gravitational waves and the signal received by LIGO and Virgo.*

WHY INTERNATIONAL LITERACY DAY IS OBSERVED ON SEPTEMBER 8

The United Nations marks International Literacy Day — “to remind the international community of the importance of literacy for individuals, communities and societies, and the need for intensified efforts towards more literate societies” — on September 8. The day aims at raising awareness and reminding people of the importance of literacy as a matter of dignity and human rights. *The theme for International Literacy Day 2020 is “Literacy teaching and learning in the COVID-19 crisis and beyond”.*

UNESCO proclaimed September 8 as International Literacy Day at its General Conference in 1966, which stated, “The hundreds of millions of illiterate adults still existing in the world, make it essential to change national education policies.” It emphasised the need for the real emancipation of the people and added that education systems across the world should provide the training required for children and working adults so that they can learn to read and write. *Following the*



UNESCO General conference, the first International Literacy Day was celebrated on September 8, 1967. Literacy goals are a key part of the UN's Sustainable Development Goals (SDG) and its 2030 Agenda for Sustainable Development. The SDG agenda contains 17 goals and 169 targets, adopted in 2015 to build on the Millennium Development Goals (MDGs), which were adopted in 2000. The SDGs are meant to be achieved by 2030, and the UN Resolution of which they are a part is called "The 2030 Agenda". The SDGs include: End poverty in all forms, end hunger, achieve food security and improved nutrition, promote sustainable agriculture, ensure inclusive and equitable quality education, etc. In India, as per the last census in 2011, a total of 74.04 per cent are literate, an increase of 9.2 per cent from the last decade (2001-11). The country will take another 50 years to achieve universal literacy, which is 2060, as per UNESCO. According to the report 'Household Social Consumption: Education in India as part of 75th round of National Sample Survey – from July 2017 to June 2018, which is based on National Statistical Office (NSO) data, Kerala is the most literate state in the country, with 96.2 per cent literacy, while Andhra Pradesh features at the bottom with a rate of 66.4 per cent. The study shows that after Kerala, Delhi has the best literacy rate at 88.7 per cent, followed by Uttarakhand at 87.6 per cent, Himachal Pradesh at 86.6 per cent and Assam at 85.9 per cent. Rajasthan features as the second-lowest performer with a literacy rate at 69.7 per cent, followed by Bihar at 70.9 per cent, Telangana at 72.8 per cent, Uttar Pradesh at 73 per cent and Madhya Pradesh at 73.7 per cent.

HOW DID MACKENZIE SCOTT BECAME THE WORLD'S RICHEST WOMAN?

With a net worth of \$66.4 billion, novelist MacKenzie Scott became the world's richest woman on Monday, according to the *Bloomberg Billionaires Index*. The *50-year-old former wife of Amazon founder Jeff Bezos overtook L'Oreal SA heiress Francoise Bettencourt Meyers for the first time to become the world's 12th richest person*. Last year, a month after her divorce from Bezos, the billionaire author and philanthropist signed the Giving Pledge — a campaign founded by Bill Gates and Warren Buffet — and vowed to donate at least half of her personal wealth to philanthropic causes during her lifetime.

Who is MacKenzie Scott?

MacKenzie Scott is an American novelist and philanthropist who was born and raised in San Francisco, California. She graduated from the prestigious US ivy league Princeton University, with a bachelor's degree in English, in 1992. She famously studied creative writing under late Pulitzer-prize winning author Toni Morrison, who has said on record that Scott was "one of the best students" she has ever had. Scott published two novels — *The Testing of Luther Albright* in 2005 and *Traps* in 2013. She won an American Book Award in 2006. Soon after graduating from college, Scott joined DE Shaw, a hedge fund in New York, where she worked for Jeff Bezos as a research associate. The couple soon started dating, and got married the next year, in 1993. In 1994, Bezos left DE Shaw and founded Amazon, which was then merely an online bookstore started from his garage. Scott joined him as the company's first employee. In their 25-year marriage, the couple raised four children together. In 2019, Bezos and Scott revealed that they were parting ways. After the couple announced their separation, Bezos was embroiled in a much-talked-about scandal involving leaked intimate photographs and text messages, which were allegedly shared between him and former news anchor Lauren Sanchez, while he was married to Scott.



How did MacKenzie Scott become the wealthiest women?

Early last year, Jeff Bezos and MacKenzie Scott announced the dissolution of their 25-year marriage. The couple's divorce settlement has been ranked amongst the most expensive of all time. As part of the settlement, Scott (then MacKenzie Bezos) received 25 per cent of the couple's Amazon stock, which gave her a 4 per cent stake in the company — amounting to around \$38 billion. Following the divorce deal, Scott's name first emerged in the world's richest people list. Bezos, who is currently the world's richest man, retained voting control over Scott's shares and also retained his interest in the Washington Post, the American daily newspaper he acquired in 2013; as well as in Blue Origin, an aerospace company he founded in 2000. In January, Scott had sold, gifted or transferred around 1 per cent of her Amazon stock, worth approximately \$350 million, according to a report by Forbes. The reduction of more than 200,000 shares was registered in a filing with the US' Securities and Exchange Commission (SEC). According to a Bloomberg report, Bezos' personal wealth rose to \$200 billion on Wednesday as Amazon's shares skyrocketed to record levels amidst the ongoing Covid-19 pandemic. This simultaneously made Scott the world's richest woman as her own net worth climbed to \$66.4 billion.

MacKenzie Scott philanthropic work

In a blog post shared earlier this year, Scott made two big revelations — she announced that she was officially dropping 'Bezos' as her last name, and she also revealed that she had donated about \$1.7 billion to a host of causes, including racial equity, climate change and public health. "There's no question in my mind that anyone's personal wealth is the product of a collective effort, and of social structures which present opportunities to some people, and obstacles to countless others," her blog post, shared on Medium, read.

Who are the other women billionaires on the list?

Francoise Bettencourt Meyers, the sole heiress of the L'Oréal beauty empire, closely follows Scott on the list, with a net worth of \$66.3 billion. Meanwhile, Alice Walton, the daughter of Walmart founder Sam Walton, ranks 16th with \$60.4 billion. The list also features Julia Koch, who along with her three children, inherited a 42% stake in her late husband David Koch's chemical manufacturing company Koch Industries after his death. The granddaughter of Frank C Mars, the founder of the American candy company Mars Incorporated, Jacqueline Mars ranks 24th on the list, with a net worth of \$42.6 billion.

HOW SEVERE IS TYPHOON HAISHEN?

Typhoon Haishen made landfall over southern Japan on Sunday becoming the country's second landfalling typhoon within a week. Japan's meteorological agency has referred to the tropical storm as "large" and "very strong".

How are typhoons named in Japan?

The Japan Meteorological Agency (JMA) numbers typhoons in Japan and the first typhoon to occur after January 1st of the year is called typhoon number 1. While in the US, hurricanes are referred to by English names, the intergovernmental organisation called the *Typhoon Committee* (*Cambodia, China, Democratic People's Republic of Korea, Hong Kong, Japan; Lao People's Democratic Republic, Macao, China, Malaysia, the Philippines, Republic of Korea, Singapore,*



Thailand, Vietnam and the United States of America), which has 14 members including Japan uses Asian names for typhoons that are contributed by the member countries. Haishen was a name recommended by China and means “sea god” in Chinese.

Why are hurricanes called typhoons in the North Pacific and Asia?

Depending on where they occur, hurricanes may be called *typhoons or cyclones*. The scientific name for all these kinds of storms is tropical cyclones. *The tropical cyclones that form over the Atlantic Ocean or the eastern Pacific Ocean are called hurricanes and the ones that form in the Northwest Pacific are called typhoons. Tropical storms that form in the Bay of Bengal or the Arabian Sea are called cyclones.*

CISGENDER, AGENDER, BIGENDER, GENDERQUEER: WHAT ARE THESE TERMS, AND WHY DO THEY MATTER

Hollywood actor William Shatner took offence to being called ‘CIS’, short for ‘cisgendered’. “Some need labels and categories to separate people in order to harass or debase them... Do we need these labels in order to communicate? In a Twitter battle that raged for days, many pointed out to him that cisgender was not a pejorative at all, that it was simply a descriptor. But Shatner persisted: “It’s used as a slur & term of harassment.” So, is cisgender a term of slur and harassment? Or is it a harmless adjective? More importantly, what is cisgender?

Cisgender

The term cisgendered is used to define people whose gender identity matches the identity assigned to them at birth. When a child is born, it is assigned a gender identity based on its physical characteristics. Many believe that gender is a social construct, and growing up, the child may or may not confirm to the birth identity. Children assigned male at birth can feel they identify more authentically as a woman, to give one example. For transgender people, their sense of gender identity does not match the one assigned to them at birth. The latin prefix ‘cis’ literally means ‘on the same side of’, while ‘trans’ means on the other side.

Who used the word first

‘Cisgender’ entered Britain’s Oxford English Dictionary in 2015, and the USA’s Merriam Webster Dictionary in 2016. Both dictionaries document its first usage around 1994. Dana Leland Defosse, a biologist at the University of Minnesota, seems to have first used the word in connection with a study on transphobia, in May 1994. What is commonly agreed upon is that the word existed in academic journals since the mid-90s. It was popularised by gender theorist and activist Julia Serano’s 2007 book *Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity*, and gradually, especially with the advent of the internet, became part enough of popular parlance to be included in the dictionaries.

Why the word is important

Quite simply, if there are ‘transgendered’ people, there should be a word for those who are not. Giving a label to only one section of the population, especially when that is the minority section, implies that the others are default, ‘normal’, and only that section needs to be singled out and labelled. *According to gender activists and those who use the term, having distinct words for*



transgendered and cisgendered people denotes that both are equally valid, neutral experiences, with neither being an aberration. Also, cis and trans are not the only gender identifiers in use. There are many other terms, such as genderqueer, gender fluid and gender variant. Some also choose not to use the traditionally gender-tied pronouns of he/she/her/his, and go for they/them.

Okay, why do we have so many terms?

Having specific words helps people better express who they are, and know they are not alone in their gender confusions. Also, having new terms is acknowledgement that conversation around gender is changing. It can make people who have not had to confront gender struggles as part of their lived reality pay more attention to their existence. Kiran Naik, a transman (birth identity woman, identifies as man) who works as a trans and disability rights activists in Chikballapur, Karnataka, says: "For you to accept me, you need to first know who I am. I am a transman. This is my identity. Many people simply don't get what a transman is. For them to understand a concept, there has to be a word. For example, *transwomen find it comparatively easier to be understood, because people are familiar with hijdas.* They just can't understand transmen." Janani, a behaviour analyst and media professional from Bangalore, identifies as genderqueer and uses the pronouns they/them. They agree with the importance of specific terms. "In a world in which it was universally accepted that gender is a construct, maybe terms wouldn't matter. But in our world, it can be immensely helpful for two reasons: it helps people to use identity labels to work out their gender feels and how they define it for themselves; and it allows typically cis people to build flexibility around the construction of gender," they say. Kiran points out that acceptability is social as well as official. "I would like my chosen gender on my ID documents. But for that to happen, the government needs to accept there is a word for that gender."

Criticism of the word

Some people, including those working on trans rights, feel terms like 'cisgender' belong in the realm of esoteric gender theory alone, and their usage can be counterproductive – people are less likely to grasp a message if they have to look up the individual words that make up the message. Others feel 'cisgendered' as a counter to 'transgendered' is restrictive – reinforcing a binary of genders that many choose to reject. Janani says the two terms should not be seen as binaries, but rather as "umbrella terms for two ends of a spectrum", and the "discomfort of learning new words does not trump the discomfort of non-cis (trans, nonbinary, genderqueer, genderflux, etc.) people who are experiencing constant policing of their identities." Kiran says having an exact term that can define them makes a whole lot of difference for someone who has first struggled internally with their gender identity, and is now struggling with society. "People get annoyed if you pronounce their name wrong. Imagine spending your life with others getting the very nature of your being wrong. I publicly identify as a transman, but people insist on calling me 'madam' because of my voice. For my identity to not be erased, it's important for me to have a word for it."

Some identity labels in use

As language evolves, a lot of new terms come in and out of use. Also, a lot of words overlap. Here's a list of some common gender identifiers, though there are more in use.

Agender: Someone who identifies as not belonging to any gender

Androgynous: Someone who identifies as neither man nor woman



Bigender: Someone who identifies as both man and woman

Non-binary: Someone who rejects the binaries of male and female

Genderfluid: Someone whose gender identity changes

Genderquestioning: Someone who is exploring which gender they identify as

Genderqueer: An umbrella term for people not subscribing to traditional genders

AFAB, AMAB: Assigned Female At Birth, Assigned Male At Birth

Intersex: Those who do not possess the physical characteristics of either males or females

Third Gender: Those who have a gender identity beyond man or woman

Also, one can be cisgendered but their gender expression can be different from their gender. For example, a cisgendered man can dress up in a lehenga or a ball gown simply because he likes to. On the profusion of terms, Janani says: "There are no rules with how people use identity labels; you pull five genderqueer people in a room and they will all likely define genderqueerness differently, but what they'll probably have in common is how the labels helps them feel and move in the world."

Other terms in gender discourse you should know

Many words that are not gender identifiers, but often come up in gender discourse (and on social media) can help one understand these issues better. A few of them are:

Gender dysphoria: Distress and trauma, significant, long-term, caused by the incongruence between your birth gender and what you feel your gender is.

TERF: Trans-exclusionary radical feminist (recently used prominently for author JK Rowling). These are feminists who deny that transwomen are women, and do not admit that the struggle for women's rights should include support for transgender rights.

Misgender: Using for someone a gender other than what they identify as.

Cissexism: Favouring cisgendered people over others.

Why language matters

Recently, author JK Rowling faced a lot of criticism for her views on trans rights. Zeroing in on one of the things she said can illustrate the importance of inclusive language. Rowling had objected to a headline that said 'people who menstruate', insisting it should have been 'women who menstruate'. However, not all women menstruate, transmen menstruate, transwomen may not menstruate. Rowling's critics pointed out that while all these categories are definitely 'people', insistence on using 'women' can exclude the realities of those not conventionally "women", and make their journey of acceptance, already extremely difficult, harder.