



CURRENT AFFAIRS FOR UPSC

8TH TO 21ST NOVEMBER, 2020

DREAMIAS



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DreamIAS



INTERNATIONAL

WHY IS THE CERTIFICATION OF VOTES AN IMPORTANT STEP IN THE US ELECTIONS?

In the US, as the Trump administration is scrambling to delay president-elect Joe Biden's transition into office, various states are moving towards certifying their respective vote totals, which is the next step in the formalisation of Biden's victory. US president Donald Trump has so far refused to concede Biden's election and has filed lawsuits in several states in a bid to stop the certification process in some key states. So, what exactly is the certification process and how does it work?

What is meant by the certification of votes?

On Election Day, which was November 3 this time, voters cast their votes for a joint ticket of their preferred candidates for president and vice-president. Following this, states are tasked with the job of counting and certifying the popular vote as per their own statutory and procedural requirements. This means making sure that all valid votes are counted. While Biden is most certainly projected to have garnered more than enough electoral college votes required for him to win, the certification of votes would make his victory official.

How does it work?

The certification of votes is essentially a formality that requires the state governors to prepare Certificates of Ascertainment of the vote under the US Code. Different states have their own deadlines to certify the final vote, which are subject to change in case the state decides to recount its votes or if the margins are extremely thin. The Certificates of Ascertainment list the names of the electors appointed and the number of votes that have been cast for each person. Once the states certify their election results, the Governors must submit the certificates, "as soon as practicable". The nearest deadline at the moment is for Georgia, which needs to certify its votes by November 20, followed by Michigan (November 23), Minnesota, North Carolina and Ohio (November 24), Arizona, Nebraska and Iowa (November 30) and December 1 for Nevada and Wisconsin. Trump has filed lawsuits in Michigan and Pennsylvania alleging voter fraud. However, the Trump campaign dropped their lawsuit filed in Michigan's Wayne City yesterday.

So when will Biden's victory be final?

By December 8, or at least six days before the electors will cast their votes on December 14, all states must make final determinations and resolve any conflicts and disputes. *On December 14, the electors will meet in their respective states to select the president and vice-president. These votes will be counted on January 6, when the Congress meets in a joint session.* To win, the president and vice-president must secure at least 270 electoral votes. In case a state submits conflicting electoral votes to Congress, the Senate and the House of Representatives can accept or reject them. And if they do not concur, the votes of the electors that have been certified by the governor of that state are counted. Following this, on January 20, the president and vice-president-elect will take their Oath of office and officially become president and vice-president of the US.



JUDGE REJECTS LIMITS ON DACA PROGRAMME

A judge on Saturday rejected the White House's limitations on a programme protecting 7,00,000 so-called "Dreamers," undocumented migrants brought to the U.S. as children. The federal judge in New York ruled that President Donald Trump's acting Homeland Security Secretary Chad Wolf was not lawfully serving in his role when he issued the new rules for the DACA programme in July. *The ruling is another victory for proponents of the Barack Obama-era programme after the U.S. Supreme Court in June rejected Mr. Trump's cancellation of it.* President-elect Joe Biden, who defeated Mr. Trump in the November 3 polls, had pledged to reinstate the programme when he takes office on January 20.

Authority questioned

Mr. Wolf, who has not been confirmed in his role by the U.S. Senate, issued new restrictions on the programme in response to the Supreme Court ruling. Saturday's court decision said his restrictions "effectively suspended" DACA, or Deferred Action for Childhood Arrivals, while the Trump administration reviewed how to proceed. Mr. Wolf's rules said new applications would not be accepted and renewals would be limited to one year instead of two. Judge Nicholas Garaufis said the correct order of succession had not been followed for the acting secretary appointment. It was not the first time Mr. Wolf has seen the legality of his appointment as acting secretary in 2019 drawn into question. *Mr. Trump entered office promising to halt almost all immigration and to expel the more than 10 million people estimated living in the country, many for decades, without legal immigration documents. The Obama administration sought to address the issue in 2012, with the DACA policy offering protection at renewable two-year periods, including authorisation to work, to people brought into the United States illegally as children and then growing up here. DACA, and the subsequent DAPA programme — Deferred Action for Parents of Americans and Lawful Permanent Residents — were executive actions by Mr. Obama to eliminate the constant threat of deportation for more than four million undocumented migrants. Mr. Trump cancelled DAPA after coming to office and then went after the more established DACA, but faced court battles over it.*

WHY AMERICANS DISAGREE OVER GRANTING STATEHOOD TO PUERTO RICO AND WASHINGTON, D.C.

For the third time in ten years, the United States territory of Puerto Rico has voted in favour of statehood, and thus be treated at par with the current 50 states of the country. On November 3, the same day US voters chose Joe Biden over Donald Trump in the US election, a majority of Puerto Ricans voted yes in a non-binding referendum for full statehood while rejecting the 'no' option— which would have signalled approval for continuing their current commonwealth status or for starting the process of becoming an independent country. At the same time, another part of the US – the country's capital city, Washington, D.C.— has also for years been clamouring to become a full state. In June this year, the Democratic party-controlled lower chamber of the US Congress acknowledged this demand, and passed a bill that could potentially make D.C. the 51st US state. While Democrats, the party of Joe Biden, have generally been more open to the idea of admitting the two entities as states, Trump's Republican party remains firmly opposed to any such proposition. What is the history behind the statehood movements in Puerto Rico and Washington, D.C., and why are the country's top politicians bitterly divided over the issue?



Puerto Rico

The Spanish-speaking island, slightly smaller than the Indian state of Tripura, is located in the Caribbean Sea, about 1,600 km southeast of the US state of Florida. Since its discovery by the explorer Christopher Columbus in 1493, Puerto Rico was a part of the Spanish Empire for over 4 centuries until 1898, when it was annexed by the United States. In 1917 Puerto Ricans were granted US citizenship, but the island itself was never made a full state, and continues to remain a "US territory", along with Guam, North Mariana Islands, American Samoa, and the US Virgin Islands. Like its counterparts, Puerto Rico gets only one member in the House of Representatives, the lower chamber of the US Congress– but who has no voting power. Puerto Ricans also cannot vote in US presidential elections. Proponents of statehood argue that Puerto Rico–whose population at 31 lakhs is more than 21 US states, and whose residents have served in all the wars that the US has been involved in since World War I– should have rights at par with the other 50 states. However, not everyone is entirely on board. Since the 19th century, the island has had an ongoing independence movement– first against Spain and then the US– whose adherents believe that Puerto Rico should be a sovereign nation. At the same time, many also want Puerto Rico to continue as a commonwealth– the status of the island since 1952. Statehood, though, is currently the most popular option. In the past 6 decades, the island has had 6 referendums where voters were asked to choose between independence, commonwealth or statehood. The polls in 1967, 1993 and 1998 reaffirmed commonwealth status, but the last three ones– 2012, 2017 and 2020– chose statehood. In 2020, around 52 per cent said they favoured statehood, with the remaining voting against. The popularity of independence as an option has steadily declined, with only 1.5 per cent preferring it in 2017. The referendums in themselves have no power to change Puerto Rico's status, however. They are non-binding, meaning their verdicts have no power to compel the US Congress– the sole body which can make a decision on the issue– to act in any way.

Washington, District of Columbia

After the US became independent from British rule in the late 1776, the country's founding leaders desired that the new national capital should be founded on a federal district, and not be a part of any state. The district which was thus created was named after Columbus, and the city after George Washington, the first US president. Since its founding, numerous legislative initiatives tried to expand representation for D.C., but these efforts only gathered pace during the Civil Rights era of the late 1950s. In 1961, the 23rd Amendment to the US Constitution was passed, giving D.C. residents the right to vote for president starting in 1964. Since 1974, the city has had its own council and mayor, but continues to be under the direct jurisdiction of the US Congress. Like Puerto Rico, D.C. also gets one member in the House of Representatives, who has no voting power. In 1985, a constitutional amendment that would have given D.C. several rights of a full state failed. Another setback came in 1993, when the House of Representatives voted down statehood for the city's then 6 lakh residents. Despite the delays, though, statehood remains an overwhelmingly popular demand among D.C. residents. Unlike in Puerto Rico, where many are still opposed to the idea, voters in D.C. have convincingly endorsed it; in a 2016 referendum, 85 per cent voted in favour of becoming a state. D.C. statehood proponents also argue that unlike in Puerto Rico, residents of the capital city have to pay federal income tax, and often cite the Revolutionary War slogan "no taxation without representation" in protest to underline their demand. Indeed, this line has featured on thousands of number plates of motor vehicles in the city, including on the limousines of Presidents Bill Clinton and Barack Obama– two leaders who have openly backed the demand for D.C. statehood. This year, the statehood question again came to the fore after Black Lives Matter protests



rocked the nation's largest cities– including D.C., where African Americans are the largest ethnic group, making up just less than half of the city's 68 lakh population. In June, the Democrat-controlled House of Representatives passed a law that would shrink the District of Columbia to only include key federal government buildings, and convert the rest of the current District into a 51st US state, which would be named after the leading 19th-century Black abolitionist Frederick Douglass.

The political challenges in obtaining statehood

*For both Puerto Rico and D.C. statehood to succeed, both chambers of Congress (House and Senate) would have to support the initiative, which would then require the approval of the US President. The House has already done so for D.C. Any further progress, however, would depend on the outcome of the Georgia runoff elections in January, where control over the Senate would be decided. Also, in the case of D.C., an even more formidable challenge would lie ahead even if both Congress and the President give statehood their nod. According to experts, *the process for the capital city would only terminate when the 23rd Amendment is repealed– a daunting political task as this would require at least 38 states to agree to the motion.* The principal reason why this entire process hits a hurdle is that Democrats and Republicans fervently disagree over the issue– mainly due to the effect the potential two new states could have on the nation's legislative math. *Currently, the Senate– the powerful upper house of the US Congress– has 100 seats, two from each US state irrespective of its population. D.C. and Puerto Rico are believed to be Democrat-leaning, and the addition of their four seats to the Senate is expected to tip the scales of power in favour of the Democrats in the long term. Republicans have thus fiercely resisted the idea, especially because they have been holding a thin majority in the Senate since 2014. President Donald Trump has said that his party would be “very, very stupid” to admit D.C. as a state. Senator Mitch McConnell, the most powerful Republican in the Senate, has called the statehood efforts of both regions “full-bore socialism on the march”, and has vowed, “as long as I am the majority leader of the Senate, none of that stuff is going anywhere.” Critics of the Republican position say that the right-wing party is holding up genuine demands for political representation in both these regions for short-term tactical gains.* Some have also challenged the Republican assumption– that the two prospective states would remain reliably Democratic– as flawed; especially in Puerto Rico, where many conservative positions are popular. On their part, the Democrats have also been accused of using the legitimate demands of full political rights of these two regions for furthering their own national ambitions, primarily to expand their numbers in the US Congress.*

WHAT PASSAGE OF PROPOSITION 22 MEANS FOR UBER, LYFT, THEIR WORKERS IN CALIFORNIA

Gig-economy giants in the US such as Uber, Lyft and DoorDash celebrated a major win last week as voters in California green-signalled Proposition 22, a ballot measure that will allow these companies to retain their drivers and other workers as “independent contractors” instead of “employees”. In California, America's most populous state, the referendum appeared on the ballot of the 2020 US election on November 3, and was approved with 58 per cent of the vote. For months, the initiative had been pushed by app-based companies in the West Coast state, and was opposed by labour organisations who were seeking greater protections and benefits for gig workers. While last week's vote only affects labour law in California, it is expected to lay out a path for similar initiatives across the country.

Contractors or employees



When companies such as Uber and Lyft first started in California in the 2010s, they did not hire drivers as employees, and instead classified them as independent contractors. For drivers, the gig work was supposed to bring greater flexibility than traditional employment. The industries argued that they were technology companies, and said that they should not be burdened with the legal requirements applicable to transportation companies. Under California's labour law, this business model was controversial from the beginning, since the companies did not provide drivers and other workers unemployment insurance, health care, sick leaves or guaranteed pay— the binding responsibilities of an employer. The gig business model came under attack in 2018, when the California Supreme Court in its landmark 'Dynamex' ruling changed the law which decided whether workers were employees or contractors, reducing the threshold for a worker to be categorised as an employee. As per the verdict, workers were to be treated as employees in every case, except if they were: free from the control and direction of the hirer; performed work outside the usual course of the hirer's business; and were engaged in their own independent business. The California legislature saw the Dynamex judgment as a welcome move which could rein in the burgeoning gig industry, and in 2019 enshrined it in a state law called Assembly Bill 5 (AB5), which went into effect in January 2020.

The battle for Prop 22

The app-based companies saw the AB5 law as a direct threat to their business, and came together to draft a ballot proposal— a legal measure available in several US states by which citizens can suggest propositions to be put to popular referendum in the state, bypassing the legislature. Named Proposition 22, it asked voters whether gig workers should have flexibility or stability, and was to go on the ballot on November 3— the same day Californians would choose between presidential candidates Donald Trump and Joe Biden. Meanwhile, the companies ignored AB5, and Uber and Lyft threatened to leave the California market. The gig industries poured money into their 'Yes on Prop. 22' campaign, raising over \$200 million — the most in California's history on a proposition campaign — to get voters on their side. The companies launched aggressive in-app messages, and stickers were pasted on Uber vehicles and on bags of online grocery service Instacart. The companies claimed most of their drivers, a million Californians, would prefer the flexibility of contract work over the stability of employee benefits. They argued that if this proposal did not pass, drivers would be forced to become full-time or leave the platform, and prices would increase. Those opposed to the proposition, such as labour unions, argued that drivers should get full employee protections, and criticised the companies for trying to write their own labour laws. Then-Democratic nominee Joe Biden endorsed this side.

A LOOK AT THIS YEAR'S BOOKER PRIZE-WINNING NOVEL, SHUGGIE BAIN, AND ITS DEBUTANT AUTHOR, DOUGLAS STUART

From a lineup that headlined diversity by featuring first novels, women writers and writers of colour, among others, *Shuggie Bain* by Scottish American writer Douglas Stuart has won this year's Booker Prize. Here's a look at the book and its debutant author:

* Shuggie Bain is an autobiographical novel set in Glasgow in the 1980s. It follows the life of Shuggie, an impoverished boy struggling to look after his single mother, Agnes, an alcoholic, even as he grapples with his own sexuality. Despite its grimness and squalor, the book — dedicated to the writer's mother, who died when he was 16 years old — brims with tenderness and filial



affection. Stuart, 44, who grew up in Glasgow with a single mother, has said it was love, hope and a lot of humour that helped him overcome his own difficult circumstances.

WHY THE #ENDSARS PROTESTS HAVE ROCKED NIGERIA

What started as protests against police brutality in Nigeria in October, has since expanded into popular resistance against the country's politicians, the government and corruption. Before it spilled out onto the streets of Nigeria, these protests started online with a simple hashtag #EndSARS, that in turn became the name by which the movement came to be identified.

What is the SARS unit?

The SARS unit is Nigeria's Special Anti-Robbery Squad created in 1984. According to a New York Times report, the unit was created to deal with rising cases of violent crimes in the country and in the first few years following its creation, statistics of crimes like kidnappings and robberies drastically reduced. However, observers say it did not take long for the unit to become a powerful entity, one that acted with impunity and without any accountability. According to The New York Times, an Amnesty International report issued in June this year showed how SARS officers had been involved in at least 82 cases of torture, ill treatment and extrajudicial executions between January 2017 and May 2020. The Amnesty report indicated that the victims were mostly men between the age group of 18 to 25 and belonged to low-income backgrounds.

How did #EndSARS start?

Observers trace the start of the protests to a video on October 3, that showed an unprovoked killing of a man by SARS officers in the town of Ughelli. After the video was shared across social media platforms, resulting in criticism of SARS officers, Nigerian government officials claimed that the video was fake and arrested the person who filmed it. The government's denials, particularly the arrest of the Nigerian citizen who had filmed the video, only served to further anger the public. In a largely youth driven initiative started using this hashtag across social media platforms, demonstrations erupted in cities and towns, demanding that the Nigerian government dismantle the SARS police unit. As part of the #EndSARS movement, social media users across Nigeria began offering legal aid, food, shelter, healthcare and other services to people impacted by the government crackdown. Then, on October 20, protestors who were engaged in a peaceful demonstration in the affluent Lekki district of the capital Lagos, were suppressed by the military and curfews were imposed. A Reuters report said protestors in Lekki were also shot at by military personnel, which injected violence into peaceful demonstrations. This deployment of the military and the suppression of protests by the government increased anger and hostility towards the Nigerian government.

What do protestors want?

Surprised by the intensity of the protests, the Nigerian government had initially promised to investigate reports of impunity and the lack of accountability enjoyed by the SARS unit. The government also pledged to disband this unit following reports of corruption. The protestors are also demanding accountability from the government and want an end to the practise of corruption and bribery. In addition to the issues that the protesters say have been plaguing Nigeria, they have also used the protests to criticise the government's mishandling of the coronavirus pandemic. The protests have allowed Nigerians to talk about problems plaguing the country's ordinary citizens.



How has the government responded?

According to a New York Times report, the government said it would redeploy members of the SARS unit to other units in the police system. However, protesters say this does little to address the problem and are demanding that the most violent, corrupt and brutal officers of the SARS unit be fired altogether to clean up the system. Protestors have also accused the government of targeting critics and protesters and of trying to suppress the #EndSARS movement. In the capital Lagos, demonstrations have been banned and in several parts of the country, particularly in the north, the government has placed restrictions on social media platforms that were being used by protesters to spur the movement and highlight instances of police brutality. The protestors, a large section of whom are young Nigerians, have dismissed Nigeria's President Muhammadu Buhari's promises. According to a Reuters report this week, the country's police minister said President Buhari "will do what it takes to prevent a repeat of demonstrations against police brutality last month." According to this report, while the unrest has subsided for now, at its peak, it had resulted in the killings of dozens of protesters and police and more than 200 buildings in the country were torched.

U.K. LAUNCHES BILL TO DETER 'MALICIOUS' TAKEOVERS

Britain unveiled plans for new powers to prevent foreign companies snapping up strategic assets in "malicious" takeovers that are deemed to threaten national security. The U.K. government said that its new National Security and Investment Bill will "protect (the) U.K. from malicious investment" and strengthen its ability to investigate and intervene in mergers, acquisitions and other types of deals. *The new powers come as increasing Chinese investment has sparked calls from lawmakers for Prime Minister Boris Johnson to take a stronger stance on Beijing.* The draft Bill is aimed at updating a 20-year-old law that is no longer sufficient to tackle modern threats, according to a statement from the Department for Business, Energy and Industrial Strategy. *The Bill, which will be introduced before Parliament on Wednesday, will compel companies to inform the government of merger and acquisition activity in sensitive sectors such as defence, energy and transport.*

WHO WON THE WAR OVER KARABAKH?

After six weeks of fierce fighting, Armenia and Azerbaijan agreed to end military operations in and around Nagorno-Karabakh in a ceasefire brokered by Russian President Vladimir Putin. Some 2,000 people, including combatants and civilians, are estimated to have been killed in the war.

What led to the war?

In 1991 when the Soviet Union collapsed, the newly independent Armenia and Azerbaijan went to war over Nagorno-Karabakh, which had been an autonomous region within Azerbaijan during the Soviet years. Armenians have made historical claims over the enclave, which is largely populated by ethnic Armenians. By the time the all-out war came to an end in 1994, Armenia had captured Nagorno-Karabakh and seven surrounding districts from Azeri forces, which amounted to some 13% of Azerbaijan's territory. In September, Azerbaijan President Ilham Aliyev launched the offensive vowing to take back Nagorno-Karabakh and other Armenian-occupied districts. In six weeks, *Azeri forces, backed by Turkey-supplied armed drones and other equipment, cut through Armenian defences and retook territories, including some 40% of Nagorno-Karabakh itself.*



Russian role

Russia, which has a security agreement with Armenia, remained neutral in the early days of the war when Turkey threw its weight behind Azerbaijan. Russia brokered a ceasefire two weeks into the conflict, but it didn't hold. When Azerbaijan defeated Armenian troops and captured territories, Armenian Prime Minister Nikol Pashinyan sought Russian help. But President Vladimir Putin said the security guarantee is for Armenia, not for the Armenians in Nagorno-Karabakh. But Russia was apparently concerned about the rapid change in the status quo and the more assertive security role Turkey was playing in its backyard. By the third week of October, *Russia established small military outposts along the Armenian border, apparently to prevent the conflict being spilling into mainland Armenia and also to send a message to Baku. In the same week, Russia conducted a massive air strike in Syria's Idlib against Turkish-backed militants, killing dozens of them, which is seen as Moscow's warning to Turkey. Mr. Putin accepted Azerbaijan's victory (as the ceasefire allows Azeri troops to take control of the territories they have seized) but prevented a total defeat of Armenia.* Under pressure from a decisive Moscow, both sides agreed to cease the operations.

Terms of the truce

According to the ceasefire, Armenia agreed to withdraw its troops from much of the territories around Nagorno-Karabakh. The core of the enclave with ethnic Armenians and Stepanakert as its capital would remain outside the control of Azerbaijan. Baku will build a road linking the newly captured territories to Nakhchivan, an autonomous republic of Azerbaijan which has been geographically separated from the mainland. As the broker of the truce, Russia would send some 2,000 peacekeepers to the region, who would patrol between the Azeri troops and Nagorno-Karabakh, including the Lachin corridor, which connects the enclave with Armenia. In sum, *Azerbaijan gained territories, but not the whole of Nagorno-Karabakh. Armenia lost territories it controlled since the 1990s but avoided a total defeat as much of Nagorno-Karabakh would remain independent of Azeri control. And Russia gained a bigger foothold in the region with its troops being deployed within Azerbaijan.*

Challenge from Turkey

That Russia could enforce the ceasefire and keep Turkey and western countries out of the final talks shows that Moscow remains a dominant power in the South Caucasus. Moscow had wanted to send peacekeepers to the region, but both Armenia and Azerbaijan were not open to the idea earlier. Now, Russia can do that. But the war also showed that the Russian dominance in the region could be challenged. Turkey backed Azerbaijan throughout the war against Moscow's wishes and made sure that the Azeri side prevailed. *The Turkish Parliament approved sending troops to the region to join an observation post despite the ceasefire mandating only Russians to deploy peacekeepers. If Turkey continues to play an assertive role in the region through ally Azerbaijan, a reluctant Moscow would face a new rival in its backyard.*

AMID PROTESTS, PERU GETS ITS THIRD PRESIDENT IN A WEEK

Peruvian lawmaker Francisco Sagasti is set to be sworn in as interim President on Tuesday after being voted for by Congress in a bid to help calm anger on the streets amid deadly protests and the departure of two Presidents over the past week. Mr. Sagasti, a legislator from the centrist Purple Party, will be sworn in to fulfil a government mandate until July next year, which would include holding a new presidential election scheduled for April 11. *The Andean nation has been*



shaken since the abrupt ouster in an impeachment trial of popular leader Martin Vizcarra last Monday. His successor, Manuel Merino, resigned on Sunday after two young people died in protests against his government. Mr. Sagasti's appointment appeared to calm tensions, though a deep mistrust of the country's politicians still remains and on Monday night hundreds of people marched in the capital Lima, with calls for a new Constitution and "justice for the fallen". Mr. Sagasti, 76, an engineer and former World Bank official, said on Monday night that he was considering names for Ministers in his government and did not rule out including members of the Cabinets of his predecessors. Mr. Sagasti will be Peru's fourth President in less than three years, after the departures of Mr. Vizcarra and Mr. Merino, and the resignation of Mr. Kuczynski in 2018 on allegations of corruption.

WHY HAS THE ARREST OF A POP STAR AND PRESIDENTIAL HOPEFUL SPARKED VIOLENT PROTESTS IN UGANDA?

At least seven people have been killed and dozens injured in protests that broke out across Uganda, over the arrest of popular musician and presidential hopeful Bobi Wine. Security forces in the capital city of Kampala fired bullets and tear gas at hundreds of Wine's supporters, who gathered on the streets to demand his immediate release. Wine was arrested for the second time this month while campaigning in Eastern Uganda. Ever since he first announced his intention to run against the country's long-time President Yoweri Museveni, Wine has been able to garner a large following, particularly among the youth of the East African nation. He has been beaten and arrested by security personnel multiple times over the last few years.

Who is Bobi Wine?

*Robert Kyagulanyi Ssentamu, who is better known by his stage name Bobi Wine, is a former musician who took Ugandan politics by storm after winning a parliamentary seat in Kyadondo East by a landslide in 2017. The following year, the 38-year-old announced he would challenge the country's longest serving leader, Yoweri Museveni, in the election slated for January 2021. Over the last two years, Wine has grown to become Museveni's biggest challenger. Many of his young supporters have said they are drawn to the scathing and unflinching critique of Museveni heard in several of Wine's original songs. In one such song about Museveni, Wine sings, "Freedom fighters become dictators. They look upon the youth and say we're destructors." Museveni, who initially dismissed Wine as a "hooligan" from the "ghettos", *had come to power in 1986 after overthrowing two dictators. For a while, he was regarded as a freedom fighter and was praised for restoring stability in the country and encouraging economic growth. But he has been known to maintain a firm grip on power through repression and by silencing his opposition. In 2017, Ugandan lawmakers amended the constitution to allow Museveni to rule for life.**

Election commission's rules for political campaigns spark tensions

Earlier this month, the country's election commission announced that not more than 200 people could attend political meetings and rallies, to limit the spread of the coronavirus pandemic. Apart from Wine, Patrick Amuriat, the presidential candidate for the nation's biggest opposition party, Forum for Democratic Change, was also briefly detained on Wednesday. However, he was released within a few hours. Critics have accused the ruling National Resistance Movement (NRM) of using Covid-19 guidelines to clamp down on President Museveni's opponents. Wine and Amuriat are among the 11 candidates challenging the president in the upcoming election. "It's not about Covid-



19. *It's about repression...People are very angry and they are very right to be angry. People are tired of the double standards; they are tired of the oppression and dictatorship that has caused all these problems in the country,* David Lewis Rubongoya, secretary general of Wine's National Unity Platform party, told The Guardian.

WHY AWARDING A FORMULA ONE RACE TO SAUDI ARABIA IS CONTROVERSIAL

Formula One last week confirmed that Saudi Arabia would host its first race next year from November 26-28 at the port city of Jeddah. While F1 has expanded its orbit to now include races in 33 countries, human rights organisations have alleged that the event has little to do with the promotion of sport in the region – and is actually part of the kingdom's sweeping 'sportswashing' plan. Activists say it's "ironical" that a Formula One race should be held in a country where several women activists, who fought for the right of women to drive, are behind bars, and where dissent is crushed.

What is 'sportswashing'? Is this a new concept?

To critics who use the expression, *sportswashing refers to hosting a sports event or owning a reputed sports team to improve the image of a country by attracting positive headlines.* As a concept it is not new – and was notably seen during the Berlin Olympics in 1936 (opened by Adolf Hitler) and the 1978 FIFA World Cup in Argentina to the much more recent 2008 Olympics in Beijing, and the Sochi Winter Games in Russia. *Critics see it as essentially a public relations exercise which proves very effective.* Sportspeople have a huge reach across different cultures and can draw positive headlines for countries with tarnished images. *"When we google Saudia Arabia, they don't want us to see beheadings or bombings, but something like "Riyadh hosts a vibrant F1 Race,"* Jakens said. "Sportswashing will help Saudia Arabia present themselves as a progressive, inclusive, modern country while the reality is far from it."

But is this the first time that Formula One is partnering with a country accused of human rights violations?

Not really. In 2016, *Azerbaijan*, a country with a "poor human rights" record according to Human Rights Watch, hosted its first Formula One race amid protests from activists. Recently, Formula One was accused of turning a blind eye to allegations of human rights violations in *Bahrain* when they raced there in March 2019. In August last year, King Hamad handed a royal pardon for 105 detainees, including activist Najah Yusuf who was imprisoned in 2017 party for her social media posts opposing Formula One races in the country.

UAE TO WIDEN 'GOLDEN' VISA'S ELIGIBILITY CRITERIA

The United Arab Emirates will extend its "golden" visa system — which grants 10-year residency in the West Asian nation — to certain professionals, specialised degree-holders and others, the UAE's Vice-President said. Foreigners in the UAE usually have renewable visas valid for only a few years tied to employment. The government in the past couple of years has made its visa policy more flexible, offering longer residencies for certain types of investors, students and professionals. All holders of doctorate degrees, medical doctors and also computer, electronics, programming, electrical and biotechnology engineers are eligible, Vice President and the ruler of Dubai Sheikh Mohammed bin Rashid al-Maktoum said. Also eligible are those with specialised degrees in artificial intelligence, big data and epidemiology, as well as high school students living



in the UAE who rank top in the country and students from certain universities with a GPA of 3.8 or higher. After first announcing a long-term visa plan in 2018, the UAE in 2019 started granting 5- and 10-year renewable visas to certain foreign investors, entrepreneurs, chief executives, scientists and outstanding students.

THE LAWS UAE HAS RELAXED

The United Arab Emirates Saturday (November 7) announced a slew of legal reforms relating to personal freedoms that seek to move the country away from its hardline interpretation of Islamic law. As per the state-run Emirates News Agency (WAM) and The National, the overhaul includes changes in laws related to honour killings, alcohol restrictions, cohabitation of unmarried couples, divorce and succession. *The modernisation efforts have been announced before Expo 2020, the mega world event hosted by Dubai that is expected to bring in investments and around 2.5 crore visitors to the country. The Expo was to be held from this year October until April 2021, but has been postponed to October 2021-March 2022 because of the coronavirus pandemic.* So, what are the legal reforms that the Gulf nation seeks to implement?

Honour killings and harassment of women

Previously, under "honour crimes", male relatives could evade prosecution or get lighter sentences for assaulting women who purportedly brought "dishonour" to the family by acts such as disobeying religious scriptures or promiscuity. Such incidents would now be treated as similar to any other assault, The National reported. The report also said that there would be stricter punishments for men who subject women to harassment, including stalking and street harassment. The reforms also reiterate a law passed last year that recognised men as victims of harassment or stalking. The rape of a minor or someone "with limited mental capacity" will be punished with execution, the report said.

Consumption of alcohol

Drinking alcohol has been decriminalised for those above 21 years of age, and penalties for possessing or selling alcoholic beverages without an alcohol licence in authorised areas have been removed. As per an AP report, Muslims, who until now had been barred from obtaining licences, would be allowed to drink alcoholic beverages. Earlier too, alcohol-related prosecutions in the Gulf nation were rare, but individuals drinking without a licence would get charged when arrested for a separate offence. Under the new reforms, this will not occur. Underage drinking, however, remains punishable.

Unmarried couples living together

"Cohabitation of unmarried couples" has been made legal for the first time. Previously, it was illegal for an unmarried couple, or even unrelated flatmates, to share a home in the UAE, The National said. Although prosecutions in this category had been rare, the decriminalisation is meant to attract more people to move to the country.

Divorce and succession

In a major change, for couples who were married in their home country but want to get a divorce in the UAE, laws of the country where the marriage took place would apply. As regards succession, in bitterly fought cases, local courts could apply UAE's Sharia law to divide assets among family



members. *Now, the law of a person's citizenship will determine how assets would be divided, unless there is a written will.* However, *property purchased in the UAE will continue to be administered according to Sharia law.*

Suicide and "Good Samaritans"

The reforms decriminalise suicide and attempted suicide. Previously, a person who survived a suicide attempt could be prosecuted. However, this offence has now been removed and the courts and police are supposed to provide mental health support to vulnerable people. *Assisting a person in attempting suicide, however, remains a crime and can carry an unspecified jail sentence.* Also, previously, a person who offered aid (such as CPR or first aid) to someone could be held accountable for the latter's injury or death. This provision has been removed..

Procedural reforms

Courts have been mandated to provide legal translators for defendants and witnesses who do not speak Arabic. Privacy laws have also been strengthened, and evidence related to alleged indecent acts will now have to be protected and cannot be publicly disclosed, The National reported. However, *other offences in the UAE that have affected expatriates, such as homosexuality, public displays of affection and cross-dressing, have so far not been addressed.*

BAHRAIN PM, WORLD'S LONGEST-SERVING, DIES AT 84

Bahrain's Prince Khalifa bin Salman al-Khalifa, the world's longest-serving Prime Minister who had held the post since Independence in 1971, died on Wednesday at the age of 84, the state media announced. Prince Khalifa was a controversial figure during his five decades in office — and *deeply unpopular with the Sunni-ruled kingdom's Shia population.* When Shia-led protesters occupied Manama's Pearl Square for a month in 2011, before being driven out by Saudi-backed security forces, their main demand was for the prince to step down.

Quashing opposition

He played a key role in Bahrain's political and economic affairs, including setting the stage for a referendum that put paid to the Shah of Iran's claims to the tiny Gulf archipelago. But the Prime Minister, who was accused by dissidents of opposing reforms and cracking down on activists, adopted a lower profile in recent years as his age advanced and as Crown Prince Salman played a more prominent role. Prince Khalifa died at the Mayo Clinic Hospital in the United States, the official Bahrain News Agency said.

H.P

Sharmahala

HOW TIBETANS ACROSS THE WORLD WILL ELECT THEIR PARLIAMENT-IN-EXILE

*Over 1.3 lakh Tibetans living in exile and settled across India and other parts of the globe shall be electing their next Parliament-in-Exile, called Central Tibetan Administration, and it's head in May 2021. The result of the first round which will begin in January will be declared on February 8 with the final result expected on May 14, 2021. According to the **Green Book of the Tibetan government-in-exile**, over 1 lakh Tibetans are settled across India, while the remaining are settled in United States, Australia, Brazil, Canada, Costa Rica, France, Mexico, Mongolia, Germany, United Kingdom, Switzerland and various other countries. The Tibetan Parliament-in-Exile (TPiE) has its*



headquarters in Dharamsala, in the Kangra district of Himachal Pradesh. Here is how the Tibetan elections will be held.

Tibetan Parliament-in-Exile (TPIE)

The Speaker and a Deputy Speaker head the Tibetan Parliament-in-exile. *The 16th TPIE had 45 members – 10 representatives from each of the traditional provinces of Tibetan – U-Tsang, Dhotoe and Dhomey; two from each of the four schools of Tibetan Buddhism and the pre-Buddhist Bon religion; two representing each of the Tibetan Communities in North America and Europe; and one from Australasia and Asia (excluding India, Nepal and Bhutan). Till 2006, it used to be called as Assembly of Tibetan People's Deputies (ATPDs) with the chairman as its head and a vice-chairman after which it was changed to Tibetan Parliament-in-Exile headed by a Speaker and Deputy Speaker.*

Tibetan Constitution

The Central Tibetan Administration exists and functions on the basis of the *Constitution of the Tibetan government* called the *'The Charter of the Tibetans in Exile'*. In 1991, The Constitution Redrafting Committee instituted by the Dalai Lama prepared the Charter for Tibetans in exile. The Dalai Lama approved it on June 28, 1991.

WHY NEARLY ALL OF HONG KONG'S PRO-DEMOCRACY LAWMAKERS HAVE RESIGNED

Nearly all of Hong Kong's pro-democracy lawmakers have announced that they are resigning from the city's legislature in protest against the forced removal of four of their colleagues, who were accused of endangering national security by supporting the semi-autonomous region's independence from mainland China. The en-masse resignation of the 15 remaining pro-democracy lawmakers has effectively removed political opposition from Hong Kong's Legislative Council, also known as the LegCo. With this, the city's 70-seat legislature now has only two remaining opposition members.

What led to this?

The recent resignations and expulsions were spurred by a resolution that was passed by China's highest legislative body — the National People's Congress Standing Committee — which allows the city's government to directly dismiss elected lawmakers without having to approach the courts. According to the resolution, lawmakers should be disqualified if they support Hong Kong's independence, fail to acknowledge China's sovereignty, or encourage foreign forces to interfere in the city's affairs, AP reported. Soon after the resolution was passed, the Hong Kong government announced that it was disqualifying four lawmakers — Alvin Yeung, Dennis Kwok, Kwok Ka-ki and Kenneth Leung. Later that day, 15 other pro-democracy leaders announced that they were resigning in solidarity.

What are the implications for Hong Kong?

With the resignations and expulsions, the legislative body has nearly no dissenting voices for the first time since Hong Kong was reverted to Chinese sovereignty in 1997 — which officially ended 156 years of British rule. Critics believe that the recent resolution will make it very easy for the city's government to suppress opposition lawmakers voicing their dissent against China's increased control over Hong Kong. Merely two opposition lawmakers now remain in the LegCo — Cheng Chung-tai from the Civic Passion Party and Pierre Chan, a doctor and lawmaker. Meanwhile, at a press conference announcing the dismissal of the four lawmakers, Hong Kong's Chief



Executive Carrie Lam said she was “excited” that bills will pass more “efficiently” at the legislature in the future. The pro-democracy camp’s leader Wu Chi-Wai accused the government of destroying Hong Kong’s mini constitution known as the Basic Law, as well as the ‘One Country, Two Systems’ framework, which assured the city greater autonomy from the mainland till 2047. “We can no longer tell the world that we still have ‘one country, two systems’, this declares its official death,” Wu Chi-wai told reporters on Wednesday. But the clampdown on dissenting voices dates back even further. Earlier this year, China passed a controversial national security law in the territory following years of pro-democracy protests — which critics claim has cast a shadow on the freedoms enjoyed by Hong Kong’s 74.5 lakh residents for over two decades. According to the new law, anyone who is found “undermining national unification” of Hong Kong with the mainland could face a punishment as severe as life imprisonment.

How did Beijing react to the resignations?

The Chinese government condemned the move by opposition lawmakers to resign en masse, calling it a “farce” and an “open challenge” to undermine their authority as well as the city’s Basic Law. “If these lawmakers hope to make use of their resignation to provoke radical opposition and beg for foreign interference, they have miscalculated,” a spokesperson for China’s Hong Kong and Macau Affairs Office said in a statement..

How has the world reacted to the news?

China’s move was widely condemned by governments in the US, UK, Germany and Australia. Robert O’Brien, the US’ national security advisor, accused China of “flagrantly” violating its international commitments and threatened to impose more sanctions on “those responsible for extinguishing Hong Kong’s freedom”, the Guardian reported. “One country, two systems’ is now merely a fig leaf covering for the CCP’s expanding one party dictatorship in Hong Kong,” he said. UK foreign secretary Dominic Raab said that the forced expulsion of pro-democracy lawmakers represented “a further assault on Hong Kong’s high degree of autonomy and freedoms under the UK-China Joint Declaration.”

Operation
Two Systems

SUU KYI’S PARTY WINS ABSOLUTE MAJORITY

The ruling party of Myanmar leader Aung San Suu Kyi has won enough parliamentary seats to form the next government, according to official general election results released on Friday. *The latest batch of results from Sunday’s vote confirmed Ms. Suu Kyi’s National League for Democracy (NLD) had secured the 322 seats in the bicameral legislature needed to form a government. The NLD has taken 346 seats of the 412 seats that have been declared, with results from 64 more yet to be announced. The comfortable win will be a welcome boost for Ms. Suu Kyi, a Nobel Peace laureate who has had a turbulent first term and struggled to meet high public expectations. She is tasked with developing a country that suffered nearly 50 years of isolation and decay under strict military rule, years of which she was held under house arrest. *Even now, her government is required to govern with military involvement, in particular in the areas of security and defence, under a Constitution drafted during the generals’ rule.* The ballot was seen as a referendum on Ms. Suu Kyi’s government, which is hugely popular at home. However, its reputation abroad has collapsed due to accusations of genocide against the country’s Rohingya Muslim minority, which it denies.*



PRESSURE AND PUNISHMENT

Let JuD

The conviction of Hafiz Saeed, a UN-designated terrorist whom India and the U.S. blame for the 2008 Mumbai terror attacks that killed 166, by a Lahore anti-terrorism court on terror finance charges shows that Pakistan can be forced to act against terror networks under international pressure. Saeed, in jail since July last year, was convicted in another case of terror financing in February this year. He is currently serving two sentences of five and a half years each. Saeed would not serve any additional jail term as the judge said he would serve the punishment concurrently with the other sentences. But the repeated convictions of someone who was a favourite of Pakistan's military establishment till a few years ago, in terror financing cases, underscore the concerns India and the U.S. have about his operations. He first founded the LeT in the 1990s targeting India. When the terror group came under international pressure, he revived the JuD, supposedly an Islamic charity, in 2002, which India accuses of being an LeT front. Even after the Mumbai attack, Pakistan refused to act against Saeed and his networks. It was only after the U.S. declared a bounty on Saeed's head and the UN proscribed his organisations that Pakistan, facing pressure from the FATF, banned his organisations.

Unsurprisingly, the latest conviction comes a month after the FATF, a global dirty money watchdog, urged Pakistan to complete an internationally agreed action plan to fight terror financing. In February 2018, Pakistan endorsed a UN list of terrorist organisations operating in the country and enforced a nationwide ban on them, including the LeT and the JuD, just before a meeting of the FATF. But the FATF still placed Pakistan on its "grey list" in June 2018, and demanded more actions from Islamabad to avoid being blacklisted, which could invite economic sanctions. Ever since, Pakistan, which cannot afford to be blacklisted, especially when its economy is in a shambles, has moved against Saeed. The Anti-Terrorism Department's FIRs against Saeed and his aides accuse the JuD of financing terrorism from its fund collections in the name of charity through NGOs. While the authorities' move against Saeed is welcome, the question is whether these are genuine attempts to fight terrorism or half-hearted measures to dodge international pressure. There are doubts because Pakistan had used anti-India and anti-Afghan terrorist networks for strategic advantages. It was this dual policy of fighting terror at home while nurturing terror groups that target its rivals abroad that has been responsible for Pakistan's predicament. If it is serious about fighting terrorism, Pakistan should crack down on terror financing and terror infrastructure. The international community and organisations, including the FATF, should keep up the pressure until Islamabad shows tangible outcomes.

RISE OF A CLERIC: HOW DID KHADIM RIZVI BECOME SO INFLUENTIAL IN PAKISTAN?

Asia Bin

Pakistan's hard-talking, expletive-spouting Islamist cleric Khadim Rizvi died. His meteoric rise in Pakistan's military-dominated political landscape and his power to bring governments to their knees, all in the span of less than a decade until his sudden death, are unique even by the standards of how much the country's history has been shaped by radical Islam under the benign and enabling gaze of its army. Rizvi's abrupt death has created confusion and speculation about its cause, although indications are that it was likely a case of Covid-19. Tehreek-e-Labbaik (TLP), his movement and later a political party, has grown so much and proved itself useful so many times that Pakistan's permanent power wielders are unlikely to let it wither away.



What made him different

The sheer street power that Rizvi commanded made him different from the other extremists who have risen to prominence in Pakistan over the last three decades. He was not a Deobandi like the Taliban, nor an Ahle Hadees like Lashkar-e-Toiba's Hafiz Saeed. Rizvi was a Barelvi. Most Barelvis are viewed as middle-of-the-road, moderate Sunni Muslims. Half of Pakistan identify as Barelvi, whose practice of Islam is suffused more with Sufi traditions prevalent across South Asia, than with the Saudi Wahabism that reigns over jihadi tanzems. But Barelvis, like every other sect of Muslims, also have strong views about perceived blasphemy. Rizvi channelised the common belief among a majority of Pakistanis that there is no forgiveness for blasphemy, weaponised it for his political ends, and turned it into raw street power. He did not have to indulge in terrorist violence, yet was more successful than any other extremist group in getting his way with those in power too. At the very least, he forced successive governments to perish the thought of reforming the draconian blasphemy laws. And he was repeatedly able to target and undermine civilian governments. In this way, he was a counterpoint to Saeed and other jihadists who had been tagged as global terrorists by the international community. Their work was secretive and across borders. Rizvi, on the other hand, was out there, harnessing religion across the country without setting off large-scale violence. Plus he had no links with militant Islamists in Afghanistan or with IS or al-Qaeda. More importantly, he was a populist who knew the pulse of the average conservative Sunni Pakistani. But like the others, he was also a natural ally of the Pakistan military which uses religious extremism for its own agenda. For a week immediately preceding his death, Khadim had summoned his followers to march on Islamabad in protest against French President Emmanuel Macron's stand in favour of free speech and the cartoons of Prophet Mohammed. In his speeches at the protests, Rizvi also launched scathing attacks against former PM Nawaz Sharif who had accused Army chief Gen Qamar Javed Bajwa of conspiring with the judiciary to oust him. Rizvi accused Sharif of working to the agenda of outsiders.

Rise from nowhere

Rizvi literally came out of the blue. His launchpad was the 2011 assassination of Salman Taseer, the Pakistani politician who was then Governor of Punjab province, by his bodyguard. Rizvi was then an unknown government-employed cleric in Lahore. He took up the cause of Taseer's assassin Mumtaz Qadri, lauding him for killing a man who had come out in support of Asia Bibi, the jailed Christian woman accused of blasphemy. The government served Rizvi several warnings over his utterances before finally sacking him. After this, he threw himself into a campaign in support of blasphemy laws and for the release of Qadri. The PPP government was then considering a repeal or reform of the draconian laws, but had to shelve this. After Qadri was hanged in February 2016, Rizvi and his supporters swarmed Islamabad and sat on a dharna on the day of his chelum, the 40th day after death. There was teargassing and rioting. Three people died. The protestors demanded the recognition of Mumtaz Qadri as a martyr, the conversion of his Adiala Jail cell into a national heritage site, the execution of Aasia Bibi, the removal of Ahmadis and other non-Muslims in key posts, and the assurance that the blasphemy laws would not be diluted. The protests were held under the banner of Tehreek-e-Labaik Ya Rasoolullah (TLYRA). A widely circulated video of Rizvi weeping at the funeral, and putting his turban at the feet of Qadri for not being able to save him, cemented his leadership of the movement, whose declared aim was to safeguard the blasphemy laws. He left Islamabad with a warning to Sharif that he would return, which he did in November 2017, when he and thousands of his followers sat-in on an arterial road between Islamabad and Rawalpindi, paralysing life in both cities for nearly a month. The trigger for the protest was an



attempt to reform the election laws, which Rizvi alleged was aimed at diluting the anti-Ahmadi provisions. Finally the Pakistani Army, which had refused to use force to evict the protestors, brokered a deal that was effectively a total surrender by the government. Not only was the amendment rolled back, the Law Minister also resigned after issuing an apology. A senior military officer was seen distributing money to the protestors, which was explained away as ticket money for going home. When the TLP contested the 2018 general elections, it positioned itself as the guardian of Hurmat-e-Rasool (Prophet Muhammad's honour) and the custodian of blasphemy laws. It polled 4.21% of the votes countrywide and emerged the fifth largest party, better than the performance of LeT chief Hafiz Saeed's party. It also won three seats in the Sindh Provincial Assembly. After that, the TLP carried out periodic protests, paralysing the government in November 2018 with a huge sit-in in Islamabad demanding the execution of Aasia Bibi after she was acquitted by the Supreme Court. The government signed an agreement with the TLP that she would not be allowed to leave the country as it was believed she would do after the acquittal.

What now

After Rizvi's death, his son Saad Rizvi has been appointed as the head of the TLP. The leaders of other parties, such as the Sunni Tehreek Pakistan, or the Jamiat Ulema e Pakistan, are also likely to see an opportunity – either to revive their own outfits to ride the current wave of Barelvi religious extremism and political activism, or to try and take over the leadership of the movement that Rizvi has left behind. Either way, they will need powerful benefactors.

GILGIT-BALTISTAN ASSEMBLY POLL CONCLUDES; COUNTING BEGINS

Wearing face masks, the people of Gilgit-Baltistan in northern Pakistan voted on Sunday in the third legislative Assembly election amidst tight security. India has slammed Pakistan for its decision to hold election in Gilgit-Baltistan and said any action to alter the status of the militarily-occupied region has no legal basis. There are 24 seats for the contest but polling on one seat was postponed, leaving 23 seats up for grabs. As many as 330 candidates, including four women, are in the contest, they said. India has opposed Pakistan's plan to hold election in Gilgit-Baltistan. "Any action by Pakistan to alter the status of the militarily-occupied so-called 'Gilgit-Baltistan' has no legal basis whatsoever and is totally void ab-initio," Spokesperson in the Ministry of External Affairs (MEA) Anurag Srivastava said at a virtual media briefing in September.

WHO WAS MUHAMMAD AL-MASRI, WHAT WAS HIS ROLE IN AL-QAEDA, AND WHO IS NEXT IN LINE NOW

The New York Times reported that al-Qaeda's number 2, Abu Muhammad al-Masri, has been killed by Israeli operatives in Tehran. Iran has, however, denied this.

Who was Abu Muhammad al-Masri?

Abu Muhammad al-Masri, who also went by the name Abdullah Ahmed Abdullah, was an Egyptian founding member of al-Qaeda, regarded by counter-terrorism experts as the next in line to succeed Ayman al-Zawahiri as the leader of the Islamist terror group. The New York Times reported that he was killed in Tehran by Israeli operatives at the behest of the US in August this year. Iran has denied that any member of al-Qaeda was killed in Tehran, and dismissed the report as "Hollywood-style scenario making" by US and Israeli officials.

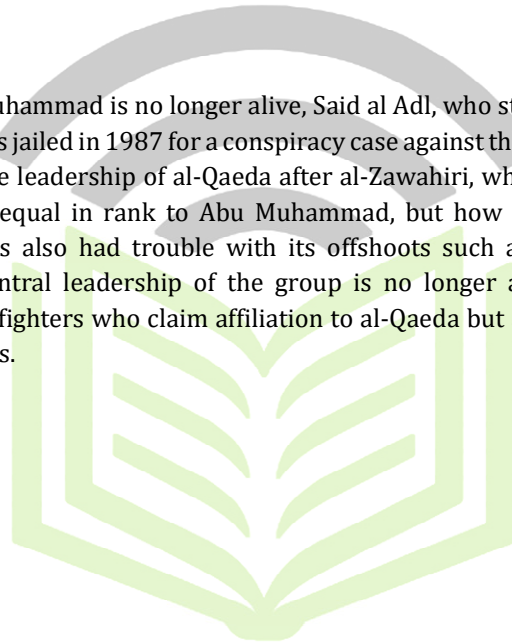


What was he doing in Iran?

Shia Iran is an unlikely safe haven for Sunni extremist/terror groups, but according to al-Qaeda watchers, the group had a complicated relationship with Iran, one that was not completely driven by sectarian Sunni Wahabist ideological hatred or contempt for Shia. According to Abu Soufan, Iran had established contact with bin Laden as early as in the 1990s, to make common cause against the US. After 9/11, as the US military bombarded Afghanistan, many al-Qaeda fighters from bin Laden's family fled to Pakistan or over the Zahedan border to Iran. Abu Muhammad was one of those who chose the latter country. Iran arrested some of these fighters at the time, and is even thought to have handed over some of them to the US in a rare instance of cooperation, but kept a handful in its custody.

Who is next in line?

If it is true that Abu Muhammad is no longer alive, Saif al Adl, who started out as a colonel in the Egyptian Army, but was jailed in 1987 for a conspiracy case against the Egyptian government, may position himself for the leadership of al-Qaeda after al-Zawahiri, who is 68 years old and ailing. Saif al Adl is seen as equal in rank to Abu Muhammad, but how influential he remains is in question. Al-Qaeda has also had trouble with its offshoots such as Nusra Front in Syria, an indication that the central leadership of the group is no longer as influential with the new generation of Islamist fighters who claim affiliation to al-Qaeda but appear to act by themselves as decentralised groups.



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FOREIGN AFFAIRS

BHUTAN SAYS NO CHINESE VILLAGE ON ITS TERRITORY

Reports showing the construction of a Chinese village inside sovereign Bhutanese territory are incorrect, the envoy of Bhutan has told The Hindu. The statement from Ambassador Vetsop Namgyel came a day after sections of the Indian media reported the presence of a Chinese-built village approximately 2 km inside the Bhutanese border. "There is no Chinese village inside Bhutan. Satellite images show some settlement near the stand-off point (Doklam). The village is not on the Bhutanese side," said Ambassador Namgyel, emphasising that the settlement is near the site of 2017 confrontation between Indian and Chinese troops on the Doklam plateau. The confrontation, which was triggered by the detection of Chinese construction near the India-Bhutan-China trijunction, lasted for approximately 70 days but the details of the ultimate withdrawal of the Chinese troops and heavy machinery remained sketchy. News broadcaster NDTV reported on Thursday that the Chinese had built a residential area and named it "Pangda village". The settlement consists of a neat housing locality, clean roads and other amenities next to a stream. The presence of the Chinese village is the first time since 2017 that a Chinese residential area has been noticed near the Doklam region, which is strategically important for India.

Pandemic links

In recent months, India has maintained close coordination with Bhutan and has included the Himalayan country in plans for containment of the COVID-19 pandemic. *Launching the second phase of the RuPay card in Bhutan electronically*, Prime Minister Narendra Modi assured his Bhutanese counterpart Dr. Lotay Tshering that meeting Bhutan's requirements would be given "top priority" by India. The card will increase the domain of digital transactions in Bhutan. *Bhutan was the second country to accept the RuPay card after Singapore. It is understood that during the second phase, Bhutanese banks will be able to issue RuPay cards for Bhutanese citizens.*

ARMY BUILDS EXTREME WEATHER HABITATS FOR TROOPS IN LADAKH

As India and China continue deliberations on a proposed disengagement and de-escalation plan to end the stand-off in eastern Ladakh, the Army has completed building extreme weather habitats for thousands of additional troops to remain deployed through the harsh winter.

Heated tents

The troops on the front line were accommodated in heated tents as per tactical considerations of their deployment, the source said. The construction was completed by mid-October. Adequate civil infrastructure has also been identified to cater to any emergency requirements, the source added. The altitude in Ladakh where troops are deployed ranges from 14,000 feet to 18,000 feet and the area experiences up to 40 feet of snowfall from December onwards. Coupled with the wind chill factor, the temperature dips to minus 40 degrees Celsius, disrupting road access to the area for some time. The Army has deployed thousands of additional troops and equipment in eastern Ladakh and along the Line of Actual Control (LAC) since the stand-off began in early May. *The Army recently procured 15,000 extreme weather clothing from the U.S. under the bilateral logistics pact, Logistics Exchange Memorandum of Understanding*, for the additional troops in Ladakh.



'No shortage'

Last week, Army chief General Manoj Naravane said "there was no shortage whatsoever of any kind" with respect to extreme weather clothing and equipment for the troops. The equipment normally catered to a certain number of troops at any point of time. They "had to go in for certain emergency procurements" for the additional troops. Gen. Naravane said that over the years they have been going in for indigenous supplies, and out of the extreme weather clothing and equipment, of some 10 to 12 items, six were done by local suppliers and the contracts for another four were also being done by Indian suppliers. The Army did annual advanced winter stocking of rations and supplies during the summer months for the winter period from November to May.

LADAKH STANDOFF: INDIA, CHINA FINALISING DISENGAGEMENT PLAN

India and China are working out modalities to finalise a plan for phased disengagement and de-escalation along the Line of Actual Control in eastern Ladakh, beginning with the North Bank of Pangong Tso, according to multiple sources. The proposal from the Chinese side put forward at the eighth round of Corps Commander talks on November 6 includes pulling back their troops and equipment from Finger 4 to Finger 8 on the North Bank, two sources confirmed on Wednesday. There is no change in the ground situation as of now. Verification on the ground at each step, in addition to aerial monitoring using Unmanned Aerial Vehicles, will be key to ensuring that the Chinese fully honour the understanding on the ground, another source said. Since the standoff began in early May, China has moved a large number of troops and equipment close to the LAC in addition to the ingress by Chinese troops inside Indian territory at various places in Eastern Ladakh. On the North Bank, Chinese troops made ingress from Finger 8 up to Finger 4 blocking Indian patrols. India holds till Finger 4 but claims till Finger 8 as per alignment of the LAC. In addition to aerial monitoring using Unmanned Aerial Vehicles (UAV), verification on the ground at each step will be the key to ensure that the Chinese fully honour the understanding on the ground, another source said. While discussions were on to schedule the next round of talks for this week, there is still no clarity on the date. After the North Bank, disengagement on the South Bank of Pangong Tso is expected to be taken up, where the two sides have deployed tanks and armoured vehicles in close proximity after tensions went up in August-end. Both were expected to be moved back some distance, the first source said.

INDIA HAS DISMISSED AS 'FAKE' A REPORT ABOUT CHINA'S USE OF 'MICROWAVE WEAPONS'. WHAT ARE THEY?

tef

The Indian Army has rejected as "baseless and fake" a report in the British daily newspaper "The Times", which had quoted a Chinese professor to claim that the Chinese army had used "microwave weapons" to drive Indian soldiers away from their positions in eastern Ladakh.

What did the report in 'The Times' of London say on China's purported use of "microwave weapons"?

The Beijing-dated report in "The Times", titled "China turns Ladakh battleground with India into a microwave oven", which was published on November 17 on the newspaper's website, quoted Jin Canrong, a professor of international relations at Beijing's Renmin University. Jin claimed that China had used a "microwave weapon" in late August to retake land that had been occupied by the Indian Army on the southern bank of the Pangong Tso lake in Ladakh. The same report appeared in "The Australian" daily in Australia under the headline "China's microwave pulse



weapon defeats Indian troops at Himalayan border". Both The Times and The Australian are owned by Rupert Murdoch's News Corp. On August 29, Indian soldiers had taken the dominating heights on the south bank of Pangong Tso, and in the larger Chushul sub-sector. These positions allow the Indian Army to dominate the region because they overlook the Spanggur Gap and the Chinese garrison at Moldo. The Chinese professor quoted in the report claimed that Chinese forces had turned two strategic hilltops occupied by Indian soldiers "into a microwave oven", forcing them to retreat, and allowing the positions to be retaken without an exchange of conventional fire. "Within 15 minutes of the weapons being deployed, those occupying the hilltops all began to vomit. They couldn't stand up, so they fled. This was how we retook the ground," the professor reportedly told his students during a lecture. According to the report, Jin said: "We didn't publicise it because we solved the problem beautifully. They [India] didn't publicise it either because they lost so miserably."

What are "microwave weapons"?

"Microwave weapons" are supposed to be a type of direct energy weapons, which aim highly focused energy in the form of sonic, laser, or microwaves, at a target. The report quoted Jin as claiming the "microwave weapons" that were allegedly deployed by China in Ladakh used "beams of high-frequency electromagnetic radiation to heat the water in a human target's skin, causing pain and discomfort". *In a microwave oven, an electron tube called a magnetron produces electromagnetic waves (microwaves) that bounce around the metal interior of the appliance, and are absorbed by the food. The microwaves agitate the water molecules in the food, and their vibration produces heat that cooks the food. Foods with a high water content cook faster in a microwave often than drier foods.*

Which countries have these "microwave weapons"?

A number of countries are thought to have developed ~~these weapons to target~~ both humans and electronic systems. *According to a report in the 'The Daily Mail', China had first put on display its "microwave weapon", called Poly WB-1, at an air show in 2014. The United States has also developed a prototype microwave-style weapon, which it calls the "Active Denial System".* In an FAQ posted online, the US Department of Defence says that "the Active Denial System is needed because it's the first non-lethal, directed-energy, counter-personnel system with an extended range greater than currently fielded non-lethal weapons".

Have "microwave weapons" been used in the past?

The US apparently deployed such a weapon in Afghanistan, but withdrew it without ever using it against human targets. *In the latter half of 2017, reports surfaced saying employees at the US embassy in Havana, Cuba, may have been targeted with a covert sonic weapon the previous year. Subsequently, in 2018, staff at the US consulate in Guangzhou, China complained of a possible similar attack in 2017. In all, more than three dozen American diplomats and members of their families in Cuba and China were suspected to have been targeted using 'microwave weapons'. All these individuals reported mysterious grating noises or sudden pressure changes and vibrations in their hotel rooms or homes. They also reported symptoms included nausea, severe headaches, fatigue, dizziness, sleep problems, and hearing loss, which have since come to be known as 'Havana Syndrome'. However, a medical team that examined 21 of those affected in Cuba did not mention "microwave weapons" in a study published in the Journal of the American Medical*



Association. Neither the State Department nor the FBI have publicly pointed to “microwave weapons” as being the cause of the “syndrome”.

How dangerous are these weapons?

Concerns have been raised on whether they can damage the eyes, or have a carcinogenic impact in the long term. The US Department of Defence FAQ specifically says its Active Denial System does not cause cancer or infertility. It also says that studies have shown that “natural blink reflex, aversion response and head turn all protect the eyes” from the weapon. It is not clear yet how China intends to use such a weapon, and whether it can kill or cause lasting damage in human targets.

INDIA, U.S. KEEN ON TRAINING PEACE MISSIONS

With China significantly scaling up its troop contribution for United Nations Peace Keeping (UNPK) missions, India and the U.S. are looking to undertake training of military personnel for the missions from Southeast Asian countries on the lines of the ongoing initiative for African countries. *India has consistently been among the top troop contributing nations to the UN and is the fifth largest with 5,424 personnel in eight countries. The U.S. on the other hand has never contributed ground troops but contributes 27% of the U.N. peacekeeping budget. In 2016, India and the U.S. began a joint annual initiative “UN Peacekeeping Course for African Partners” to build and enhance the capacity of African troop and police-contributing countries to participate in the U.N. and regional peacekeeping operations. While this is going on, the U.S. is keen on a similar initiative for South East Asian nations like Vietnam and others, the source said.* China is significantly expanding its troop contribution to the UN in addition to the funding, said a second source. “It currently has over 2,500 troops in various UN missions and has committed another 8,000 troops as standby,” the source said. Once implemented, it will make China the largest provider of troops to the UNPK. China contributes 12% of the UN regular general budget and 15% of the peacekeeping budget. India’s contribution to the regular budget is 0.83% and 0.16% of the peacekeeping budget.

51 missions in all

India has so far participated in 51 of the 71 missions and contributed over 2 lakh personnel. It has troop deployment in Lebanon, Golan Heights, Congo and South Sudan in addition to staff officers in other missions. India has also set up two field hospitals in South Sudan and one in Congo. Since 2018, India has co-opted a contingent from Kazakhstan at the mission in Lebanon. Bhutan too has expressed interest in joining a UN mission within the Indian contingent.

BORDER ON THE BOIL



With a series of ceasefire violations by the Pakistan Army that targeted civilians, and heavy artillery fire by the Indian Army, the LoC is once again on the boil. Six civilians, four Indian Army personnel and a BSF jawan were killed in the firing from Pakistan across three sectors, and official Pakistani media said one Pakistani soldier and five civilians were killed by Indian cross-border shelling. The government accused Pakistan of firing as *a way of providing cover for terrorists infiltrating into India* before the winter snow closes the passes and underground routes, and issued a démarche to Pakistan’s top diplomat in New Delhi on Saturday decrying the “coordinated firing along the length of the LoC using heavy caliber weapons, including artillery and mortar, on



Indian civilians” by the Pakistan Army. The temperature has been further raised by political words from the highest level. Prime Minister Modi’s speech, as he stood atop a tank during a Deepavali visit to the Longewala post, warned of a “prachand jawab” (fierce reply) to Pakistan, and criticised China’s “expansionist mindset”, albeit without naming either neighbour. Hours later, Pakistan Prime Minister Imran Khan tweeted that there should be “no doubt” of Pakistan’s ability and “national resolve” to defend its borders. Pakistan’s assault at the LoC was followed by allegations against India on terror. In a new diplomatic tactic, its Foreign Minister Shah Mahmood Qureshi appeared at a press conference along with Pakistan’s military spokesperson, claiming to have a “dossier” on Indian involvement in terror attacks inside Pakistan that he said primarily targeted China-Pakistan Economic Corridor (CPEC) infrastructure projects. India termed the press conference a “futile anti-India propaganda exercise” and said the charges were fabricated.

The present situation at the LoC cannot be normalised and must be taken seriously. Army officials now say 2020 has seen the highest levels of firing since the 2003 India-Pakistan ceasefire agreement, with a record number of 4,052 ceasefire violations by Pakistan since January. Pakistan’s intentions are to provoke India ahead of its two-year term at the UN Security Council from January 2021, as well as to rake up trouble before the Financial Action Task Force review in February. By naming the CPEC, Pakistan also appears to want to further strain India-China relations that have undergone what Foreign Secretary Harsh Shringla called their “worst crisis” since 1962, as a result of PLA aggression at the LAC in Ladakh and the stand-off. Studied with the escalation by Pakistan at this time, it should be evident that India’s threat matrix includes the very real possibility of a two-front situation where the Army will be engaged at the LoC and the LAC simultaneously, along with a possible spike in terrorist activity in Jammu and Kashmir.

INDIA VS PAKISTAN — COMPARISON OF ECONOMIC HISTORIES

What drives economic growth? It is a question that preoccupies policymakers, academics, commentators and analysts. The answers, unfortunately, are elusive. One approach is to compare countries with shared history, culture and geography. If there are stark differences in outcomes between them, then there may be some policy lessons to be drawn,” writes Amartya Lahiri, Royal Bank Research Professor, University of British Columbia. *In 1950, Pakistan’s per person GDP was US\$1268, which was almost 50 per cent greater than India that year.* However, in the backdrop of sustained political uncertainty and upheaval, Pakistan stagnated throughout the 1950s while a politically stable India grew. As a result, *by 1960, India had almost caught up with Pakistan in per capita GDP terms with the per capita income gap having shrunk to 15 per cent.* Unfortunately, *from 1964, India went into two decades of economic stagnation while Pakistan, under the military rule of Ayub Khan, opened up to foreign capital which funded a period of rapid industrialisation and economic growth, albeit at the cost of worsening inequality. By 1984, Pakistan’s per capita income was more than double that of India’s.* Pakistan’s slowdown began in the 1980s during the military regime of Zia-u-Haq. Zia enabled and institutionalised Islamic nationalism in Pakistan. This period coincided with the reforms in India. As a result, the income gap between the countries began narrowing sharply. Nevertheless, *it wasn’t till as recently as 2010 that India’s per capita GDP finally overtook Pakistan.* Put differently, starting in 1985, it took 25 years of faster growth for India to finally undo the damage inflicted by the inward-looking, anti-industry, anti-trade and anti-foreign capital economic regime that was erected by the Indira Gandhi government. The trends *suggest four general takeaways according to Lahiri. First, openness to trade and private enterprise usually has positive effects on growth. Second, rapacious and exploitative democratic systems do not*



necessarily promote growth. Pakistan in the 1950s, 1990 and post-2010 is a good example. Third, the socio-economic environment surrounding religious fundamentalism may be inimical to growth. Fourth, degradation of institutions that regulate, arbitrate and enforce laws can be costly. "There may be lessons in these for Indian policymakers," he writes.

'STRATEGIC COMFORT' WITH THE MALDIVES (N. SATHIYA MOORTHY - DISTINGUISHED FELLOW AND HEAD-CHENNAI INITIATIVE, OBSERVER RESEARCH FOUNDATION)

The visit of Foreign Secretary Harsh Vardhan Shringla to the Maldives is significant for taking forward bilateral relations. Under Maldivian President Ibrahim Solih, bilateral cooperation, especially on the economic front, has become a 'model' that New Delhi can adopt to make Prime Minister Narendra Modi's 'Neighbourhood First' a sustained success. India and the Maldives have had bilateral relations for centuries. Technology has made connectivity easier for everyday contact and exchanges. Maldivian students attend educational institutions in India and patients fly here for superspeciality healthcare, aided by a liberal visa-free regime extended by India. Tourism is the mainstay of Maldivian economy. The country is now a major tourist destination for some Indians and a job destination for others. Given the geographical limitations imposed on the Maldives, India has exempted the nation from export curbs on essential commodities. Through the decades, India has rushed emergency assistance to the Maldives, whenever sought. *In 1988, when armed mercenaries attempted a coup against President Maumoon Abdul Gayoom, India sent paratroopers and Navy vessels and restored the legitimate leadership under Operation Cactus. The 2004 tsunami and the drinking water crisis in Male a decade later were other occasions when India rushed assistance. At the peak of the continuing COVID-19 disruption, India rushed \$250 million aid in quick time. New Delhi also rushed medical supplies to the Maldives, started a new cargo ferry and also opened an air travel bubble, the first such in South Asia.* It has promised more, as and when required.

Protests from the Yameen camp

Abdulla Yameen was in power when the water crisis occurred. Despite early strains in relations, India rushed help on a humanitarian basis. Now, the Yameen camp has launched an 'India Out' campaign against New Delhi's massive developmental funding for creating physical, social and community infrastructure, and incumbent President Solih's government retaining two India-gifted helicopters and their operational military personnel. Maldivian protesters recently converted their demand for early release of Mr. Yameen — sentenced to five years of imprisonment in a money laundering case, pending appeal — into one asking the Solih administration to 'stop selling national assets to foreigners', implying India. They forget that massive supplies of drinking water came only aboard Indian Navy vessels and the COVID-19 medicines were delivered aboard an Indian Air Force aircraft. Such assistance helps all Maldivians, including Mr. Yameen's supporters. Likewise, the Yameen administration too had deployed the helicopters for humanitarian operations. It is against this background, given also Mr. Yameen's tilt towards China and bias against India when in power, that the Solih administration's no-nonsense approach towards trilateral equations provide 'strategic comfort' to India.

Some concerns

Yet, India should be concerned about the protests as well as the occasional rumblings within the ruling Maldivian Democratic Party (MDP) of Mr. Solih. Mohamed Nasheed, who was the nation's



first President elected under a multiparty democracy, now Parliament Speaker, continues to head the party, and had also named Mr. Solih as presidential candidate in 2018, but there are apparent strains between them. Mr. Nasheed's going public on issues, including corruption charges against ministers, that should have been raised at the highest-level could affect the MDP during the run-up to the 2023 presidential polls. Also, Mr. Nasheed's on-again-off-again call for a changeover to a 'parliamentary form of government' can polarise the over-politicised nation even more. *Despite this, India can take respite in the 'strategic comfort' of the 'India First' policy of the Solih government.* Given this background and India's increasing geostrategic concerns in the shared seas, taking forward the multifaceted cooperation to the next stage quickly could also be at the focus of Mr. Shringla's visit.

INDIA, MALDIVES SIGN FOUR MOUS TO BOOST TIES

New Delhi and Male signed four agreements, including a \$100 million Indian grant for an ambitious connectivity project, during Foreign Secretary Harsh Vardhan Shringla's visit to the Maldives. In addition to two MoUs for "high impact" community development projects, the countries signed an MoU on cooperation in sports and youth affairs and another for the \$100 million grant, which is part of India's "\$500 million package" for the *Greater Male Connectivity Project (GMCP)*. Last month, the two governments inked a deal for a *\$400 million line of credit from the Exim Bank of India*. Mr. Shringla's visit comes two months after External Affairs Minister S. Jaishankar and Maldives Foreign Minister Abdullah Shahid held a virtual discussion, and about a fortnight after U.S. Secretary of State Mike Pompeo's visit to the island nation. Amid New Delhi's growing concern over China's growing influence in the region, the ties with the Maldives have remained under sharp focus.

'India first' policy

"We deeply appreciate the government of President Solih for its 'India First' foreign policy. This is reciprocated in full measure by our 'Neighbourhood First' policy in which the Maldives enjoys a very special and central place," he said, even as the political opposition in the Maldives has been criticising the Solih administration for its "India tilt". Former President Abdulla Yameen, who was dislodged from office in 2018, was widely perceived as a close ally of China. *A statement from Mr. Solih's office said he expressed his gratitude to the Indian government for agreeing to implement an air-bubble between the two countries*, and remarked that increasing amounts of Indian tourists have visited the Maldives since the country reopened its international borders. Further, *India reiterated its support for Maldivian Foreign Minister Shahid's candidature for the Presidency of the 76th session of the UN General Assembly in 2021*. Mr. Shahid, Mr. Shringla observed, had "best credentials", while urging the Maldives to play a "more prominent role" at the UN.

INDIA STANDS AWAY FROM RCEP

The Regional Comprehensive Economic Partnership (RCEP) was signed into existence on Sunday by 15 countries led by China, Japan, South Korea, Australia, New Zealand and the 10-state ASEAN grouping, creating one of the world's largest trading blocs. Noticeable by its absence was India, which after seven years of protracted negotiations decided last November to exit the grouping. *India had justified its decision as protecting its economy from burgeoning trade deficits with a majority of the 15 RCEP members* and had cited the grouping's refusal to accede to its requests on safeguards as a deal breaker. Those reasons were on the face of it justifiable at the time and were



welcomed by industry, trade and farmers' groups. However, 12 months down the road, India's opting out appears far more debatable in terms of its economic rationale. With global trade and the economy foundering on the shoals of the COVID-19 pandemic, especially as new infections in Europe and the U.S. prompt fresh restrictions there, the pre-eminence of the east Asian and Pacific countries including China, South Korea, Vietnam, Australia and New Zealand serving as a bulwark in containing the pandemic and re-energising economic activity can hardly be understated. Add to this the heightened tariff uncertainty generated by the deadlocked Brexit negotiations between Britain and the E.U., and it becomes evident that India may have missed a vital opportunity.

Given that the *RCEP members now account for about 30% of the global GDP and a third of the world's population*, the signatory states were emphatic that the timing of the accord presents a unique opportunity to support their economic recovery, inclusive development and job creation even as it helps strengthen regional supply chains. Interestingly, among the ASEAN signatories are several relatively far smaller economies including Vietnam and the Philippines, which not only continue to have their share of disputes with Beijing but also suffer significant trade imbalances with Asia's largest economy. That these and other larger nations in the grouping have chosen to bury their geopolitical differences with China in order to prioritise what they collectively see as a mutually beneficial trading compact that would benefit their economies over the longer term is the clearest testament to economic realism trumping nationalist politics. Also, the summary of the final agreement shows that the pact does cover and attempt to address issues that *India had flagged including rules of origin, trade in services, movement of persons and, crucially, remedies and safeguards*. Acknowledging India's economic heft and value as a market, the *RCEP members have not only left the door open should New Delhi reconsider its stance but have also waived a key 18-month cooling period for interested applicants*. It would be in India's interest to dispassionately review its position and embrace openness rather than protectionism.

WHAT ARE THE ECONOMIC IMPLICATIONS OF INDIA OPTING OUT OF RCEP?

15 countries solidified their participation in the Regional Comprehensive Economic Partnership (RCEP). Even as India opted to stay out after walking out of discussions last year, the new trading bloc has made it clear that the door will remain open for India to return to the negotiating table.

What is RCEP?

Described as the "largest" regional trading agreement to this day, RCEP was *originally being negotiated between 16 countries — ASEAN members and countries with which they have free trade agreements (FTAs), namely Australia, China, Korea, Japan, New Zealand and India*. The purpose of RCEP was to make it easier for products and services of each of these countries to be available across this region. *Negotiations to chart out this deal had been on since 2013, and India was expected to be a signatory until its decision last November*.

Why did India walk out?

On November 4, 2019, India decided to exit discussions over "significant outstanding issues". According to a government official, India had been "consistently" raising "fundamental issues" and concerns throughout the negotiations and was prompted to take this stand as they had not been resolved by the deadline to commit to signing the deal. *Its decision was to safeguard the interests of industries like agriculture and dairy and to give an advantage to the country's services sector*.



According to officials, the current structure of RCEP still does not address these issues and concerns.

How far is China's presence a factor?

Escalating tensions with China are a major reason for India's decision. While China's participation in the deal had already been proving difficult for India due to various economic threats, the clash at Galwan Valley has soured relations between the two countries. The various measures India has taken to reduce its exposure to China would have sat uncomfortably with its commitments under RCEP. Major issues that were unresolved during RCEP negotiations were related to the exposure that India would have to China. This included India's fears that there were "inadequate" protections against surges in imports. *It felt there could also be a possible circumvention of rules of origin— the criteria used to determine the national source of a product — in the absence of which some countries could dump their products by routing them through other countries that enjoyed lower tariffs. India was unable to ensure countermeasures like an auto-trigger mechanism to raise tariffs on products when their imports crossed a certain threshold. It also wanted RCEP to exclude most-favoured nation (MFN) obligations from the investment chapter, as it did not want to hand out, especially to countries with which it has border disputes, the benefits it was giving to strategic allies or for geopolitical reasons. India felt the agreement would force it to extend benefits given to other countries for sensitive sectors like defence to all RCEP members. RCEP also lacked clear assurance over market access issues in countries such as China and non-tariff barriers on Indian companies.*

What can the decision cost India?

There are concerns that India's decision would impact its bilateral trade ties with RCEP member nations, as they may be more inclined to focus on bolstering economic ties within the bloc. The move could potentially leave India with less scope to tap the large market that RCEP presents — the size of the deal is mammoth, as the countries involved account for over 2 billion of the world's population. Given attempts by countries like Japan to get India back into the deal, there are also worries that India's decision could impact the Australia-India-Japan network in the Indo-Pacific. It could potentially put a spanner in the works on informal talks to promote a Supply Chain Resilience Initiative among the three. However, India's stance on the deal also comes as a result of learnings from *unfavourable trade balances that it has with several RCEP members, with some of which it even has FTAs*. An internal assessment by the government has revealed that the growth in trade (CAGR) with partners over the last five financial years was a modest 7.1%. While "there has been growth rate in both imports from and exports to these FTA partners", the "utilisation rate" of FTAs both for India and its partners has been "moderate" across sectors, according to this study, which covers pacts with Sri Lanka, Afghanistan, Thailand, Singapore, Japan, Bhutan, Nepal, Republic of Korea and Malaysia. *India has trade deficits with 11 of the 15 RCEP countries, and some experts feel that India has been unable to leverage its existing bilateral free trade agreements with several RCEP members to increase exports.* "You don't get into FTAs merely to provide your market to your partner countries. While you accommodate your partner countries, your objective is also to increase the presence of your products in the markets of your partners, and India hasn't been able to achieve the latter objective," said trade expert Biswajit Dhar, professor at JNU's Centre for Economic Studies and Planning. "Our share in the imports of RCEP partner countries have either stagnated or fallen," he said.



What are India's options now?

India, as an original negotiating participant of RCEP, has the option of joining the agreement without having to wait 18 months as stipulated for new members in the terms of the pact. RCEP signatory states said they plan to commence negotiations with India once it submits a request of its intention to join the pact "in writing", and it may participate in meetings as an observer prior to its accession. However, the possible alternative that India may be exploring is reviews of its existing bilateral FTAs with some of these RCEP members as well as newer agreements with other markets with potential for Indian exports. Over 20 negotiations are underway. India currently has agreements with members like the ASEAN bloc, South Korea and Japan and is negotiating agreements with members like Australia and New Zealand. Two reviews of the India-Singapore CECA have been completed; the India-Bhutan Agreement on Trade Commerce and Transit was renewed in 2016; and the India-Nepal Treaty of Trade was extended in 2016. Eight rounds of negotiations have been completed for the review of the India-Korea CEPA, which began in 2016. India has taken up the review of the India-Japan CEPA and India-ASEAN FTA with its trading partners. There is also a growing view that it would serve India's interest to invest strongly in negotiating bilateral agreements with the US and the EU, both currently a work in progress.

GFD:GSDP

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NATION

EMPLOYER FREE TO REJECT OVERQUALIFIED ASPIRANT

A prospective employer has discretion not to appoint a candidate who may have a "higher qualification", but not the one prescribed for the job vacancy, the Supreme Court has held. A Bench led by Justice Ashok Bhushan said courts have limited judicial review over such decisions by employers. Prescription of qualifications for a post is a matter of recruitment policy. Discretion lies with the employer. "It is for the employer to determine and decide the relevancy and suitability of the qualifications for any post, and it is not for the courts to consider and assess," Justice M.R. Shah, who authored the verdict, pointed out. The apex court said courts allow a "greater latitude" for employers to prescribe the necessary qualification for a post. "There is a rationale behind it... Qualifications are prescribed keeping in view the need and interest of an institution or an industry or an establishment as the case may be. The courts are not fit instruments to assess expediency or advisability or utility of such prescription of qualifications," the apex court judgment explained. It, however, noted that an employer cannot act arbitrarily or fancifully in prescribing qualifications for posts. *The judgment came on an appeal filed by the Punjab National Bank against an Orissa High Court decision allowing an overqualified candidate to be appointed as a peon. The Supreme Court set aside the High Court decision of November 22, 2019 upholding an overqualified candidate's claim to a job as peon in the bank. It noted that this candidate had deliberately not disclosed the fact that he was a graduate. It was known only later. Besides, the prescribed qualification for the job was Class XII pass. The Bank had a specific rule against appointing a graduate as peon.* "In the present case, prescribing the eligibility criteria/educational qualification that a graduate candidate shall not be eligible and the candidate must have passed 12th standard is justified. It was a conscious decision taken by the Bank in force since 2008. Therefore, the High Court has clearly erred," the Supreme Court observed.

JUDGE RECUSES HIMSELF FROM JAGAN CASE

Justice U.U. Lalit of the Supreme Court on Monday recused himself from hearing separate writ petitions that sought action against the Andhra Pradesh government and Chief Minister Y.S. Jagan Mohan Reddy for levelling "false, vague and political allegations" against Supreme Court judge N.V. Ramana and other High Court judges. The judge, who leads a three-member Bench, withdrew from hearing the case, explaining that he had, as a lawyer, represented some of the parties involved in the case. Justice Lalit, one of the few senior advocates directly elevated as Supreme Court judge in the history of the court, said, "I have difficulty in hearing this... I cannot take up this matter. I have as a lawyer represented some of these parties." The Bench then recorded a short order, requesting Chief Justice of India (CJI) S.A. Bobde to list the case before an appropriate Bench.


FOR ONE AND ALL

The Supreme Court has struck a blow for personal liberty, granting interim bail to television anchor Arnab Goswami through an order that one wished was also passed in the case of many others incarcerated without sufficient cause, and with the same priority, consideration and speed. The arrest of the garrulous supporter of the ruling party at the Centre by a regime in Maharashtra opposed to it did seem an unwanted exercise in law. *The accusation that Mr. Goswami and two others abetted the suicide of an interior designer by denying him payments due to him was indeed*



something that could have been investigated and prosecuted, if evidence was found, without arresting them. It was always a good case for bail. However, it is not clear why the court did not allow the regular bail process to pave the way for their freedom. Mr. Goswami rushed to the Bombay High Court even before the Sessions Court could hear the matter. *The High Court cannot be faulted for rejecting his bail request, as he had an effective alternative remedy in the form of a regular bail petition before the lower court.* It is quite common for superior courts to ask remand petitioners to exhaust their remedy before lower courts first. *Even those arrests in which political vendetta or misuse of power is quite demonstrable, the Supreme Court has granted bail only after courts below had dismissed them on merits.*

In Mr. Goswami's case, the Sessions Court was due to hear his bail petition around the same time the matter was before the High Court. Therefore, it is somewhat strange that the petition was posted immediately for hearing and that interim bail, pending a reasoned judgment, should be granted on the same day. Further, Justice D.Y. Chandrachud's observation, "If we don't interfere in this case today, we will walk on a path of destruction," seems out of place in *a case that clearly does not relate to Mr. Goswami's journalistic work.* Surely, a scrutiny of why such consideration or sympathy has not been shown for others held mainly for their political beliefs or journalistic work is warranted. *It is no idle whataboutery to point out that it was only recently that the apex court turned down a petition for bail on medical grounds for lawyer-activist Sudha Bharadwaj to the High Court with a gratuitous observation, "You have a good case on merits. Why don't you file a regular bail application?"* One hopes the detailed judgment would shed light on the circumstances in which the Supreme Court can override regular bail hearings in lower courts; and on whether it is expected that magistrates and sessions judges should also grant same-day interim bail in appropriate cases. *The Court's recent record of evading and postponing hearing on many matters concerning fundamental rights and constitutional questions that affect the rights of large sections of society is a veritable story of judicial abdication.* It is somewhat galling to note that its gladiatorial zeal for personal liberty is demonstrated in so selective a manner.

WHAT IS 'CONTEMPT OF COURT', AND WHY DOES THE A-G HAVE TO CONSENT TO THESE PROCEEDINGS? 

Attorney General K K Venugopal gave his consent for the initiation of criminal contempt proceedings against stand-up comedian Kunal Kamra for his tweets following the Supreme Court's decision to grant interim bail to television anchor Arnab Goswami. Writing to one Skand Bajpai who had sought his consent, Venugopal said: "...People believe that they can boldly and brazenly condemn the Supreme Court of India and its judges by exercising what they believe is their freedom of speech...I believe that it is time that people understand that attacking the Supreme Court of India unjustifiably and brazenly will attract punishment under the Contempt of Courts Act, 1972."

What is contempt of court?

According to the *Contempt of Courts Act, 1971*, *contempt of court can either be civil contempt or criminal contempt.* Civil contempt means wilful disobedience of any judgment, decree, direction, order, writ or other process of a court, or wilful breach of an undertaking given to a court. Criminal contempt, on the other hand, is attracted by the publication (whether by words, spoken or written, or by signs, or by visible representations, or otherwise) of any matter or the doing of any other act whatsoever which:



- (i) scandalises or tends to scandalise, or lowers or tends to lower the authority of, any court; or
- (ii) prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or
- (iii) interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner.

In 2006, the government brought in an amendment, which now provides "truth" as defence provided it is bona fide and in public interest.

But why is the A-G's consent needed to initiate contempt of court proceedings?

Subsection 1 of Section 15 (Cognizance of criminal contempt in other cases) of The Contempt of Courts Act, 1971 reads: "In the case of a criminal contempt, other than a contempt referred to in Section 14 ("Procedure where contempt is in the face of the Supreme Court or a High Court"), the Supreme Court or the High Court may take action on its own motion or on a motion made by (a) the Advocate-General, or (b) any other person, with the consent in writing of the Advocate-General...". In August, A-G Venugopal turned down a request by one Anuj Saxena for his consent to initiate criminal contempt of court proceedings against actor Swara Bhasker for allegedly making "derogatory and scandalous" statements against the Supreme Court.

What is the punishment for contempt of court?

According to the Act, contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both, provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the court. The Supreme Court recently found activist-advocate Prashant Bhushan guilty of contempt of court for two of his tweets, and imposed a token fine of Re 1 on him after Bhushan refused to apologise.

A-G STANDS FIRM IN PLEA AGAINST JAGAN REDDY

Attorney-General K.K. Venugopal has said it is "open" to the Supreme Court to initiate suo motu contempt proceedings against Andhra Pradesh Chief Minister Jagan Mohan Reddy for his October 6 letter to the Chief Justice of India containing allegations against sitting Supreme Court judge N.V. Ramana. Mr. Venugopal was replying to Supreme Court advocate Ashwini Kumar Upadhyay's request to re-consider his earlier refusal on November 2 to permit contempt action against Mr. Reddy and his Principal Adviser Ajeya Kallam for the letter and the act of releasing it at a press conference on October 10. Mr. Venugopal stood firm on his decision to refuse consent. He reiterated that the Chief Justice of India was already "seized of the matter". *"The very crux of the alleged contempt lies in the contents of the letter written by Y.S. Jagan Mohan Reddy to the Chief Justice of India, and thus it is open to the Supreme Court to take up the matter of contempt suo motu as provided by the Contempt of Courts Act, and the rules made thereunder," Mr. Venugopal wrote to Mr. Upadhyay on November 7. However, Mr. Venugopal said his refusal did not stop Mr. Upadhyay from exercising his "right" to take the matter directly to the judges for suo motu action. "You may exercise this right by way of information placed on the administrative side or by bringing it to the attention of the court during the hearing of the case where you are already a petitioner-in-person," he wrote. Mr. Upadhyay is the petitioner-in-person in a case seeking quick disposal of criminal cases*



against legislators across the country. He has alleged that Justice Ramana's order on September 16 to try these cases expeditiously may have prompted Mr. Reddy to write the letter on October 6 and release it to the media a few days later.

WHAT MECHANISM DO YOU HAVE AGAINST FAKE NEWS, SC ASKS GOVT.

The Supreme Court asked the Centre to explain its “mechanism” against fake news and bigotry on air, and to create one if it did not already exist. Inability on the government’s part may well see the job go to an “outside agency,” the court said. “Why should we ask private entities like NBSA, etc., when you have the authority? If such an authority does not exist, create one... If you cannot, then we will hand it over to an outside agency,” Chief Justice of India Sharad A. Bobde told Solicitor General Tushar Mehta, appearing for the Centre. Chief Justice Bobde, heading a three-judge Bench, said the court was “disappointed” with the contents of the latest government affidavit, filed by Information and Broadcasting Secretary Amit Khare, in the Tablighi Jamaat case. *The case is based on petitions, including by Jamiat Ulama-i-Hind, against the communal colour given by certain sections of the electronic media to the holding of a Tablighi Jamaat event in the National Capital during the lockdown. The affidavit said media coverage “predominantly struck a balanced and neutral perspective” in the past few months. It explained that as a “matter of journalistic policy, any section of the media may highlight different events, issues and happenings across the world as per their choice.” It was for the viewer to choose from the varied opinions offered by different media outlets. Mr. Khare said the petitions in the court contained vague assertions against the media based on “fact-checking news reports”. Besides, the government had already blocked 743 social media accounts and URLs spreading fake news on COVID-19. The court rejected the affidavit as inadequate. “We are disappointed with your affidavit... It does not contain a whisper about what you have done under the Cable TV Act... We are not satisfied... We want to know how you are employing the Cable TV Act. We want to know the quantum of applicability of the Act... What is the legal remedy when there are complaints?” Chief Justice Bobde asked Mr. Mehta.*

Court’s poser

For the past two months, the court has been asking the government to give a clear answer to whether the regulatory provisions of the Cable TV Network (Regulation) Act of 1995, meant for cable networks, would apply to TV broadcasts. “We want to know if the government has any power to question or ban TV broadcasting signals,” Chief Justice Bobde had asked the government in the previous hearing in October. Mr. Mehta referred to the power to prohibit transmission of certain programmes under Section 19 of the 1995 Act.

‘Elaborate affidavit’

However, he agreed to file an “elaborate” affidavit, which would be the third in a row from the government side. The CJI had termed the first one, filed by an under-secretary, “evasive” and even “nonsensical.” *The Jamiat petitions has sought a direction from the court to the Ministry to identify and take strict action against sections of the media that communalised the Tablighi incident.*

CONTENT TRACKING

The recent decision of the government to bring video streaming services and online news under the ambit of the Ministry of Information and Broadcasting was much anticipated, though with



some trepidation. This government has, from time to time, made it clear that it is in favour of bringing these digital services under some sort of regulatory framework. Recently, *when the Supreme Court asked for its suggestions toward improving the existing self-regulatory mechanism for television media, in a case involving Sudarshan News, the government stated that regulating the digital media was more pressing.* More regulation is usually a problematic idea, bringing with it the real risk of censorship. But on one count at least *this decision may have some merit, and that is if this is targeted at levelling the playing field by bringing new digital players within the purview of a regulation that non-digital players have been subject to all these years. New movies, before theatrical release, have to get through the certification process of the Central Board of Film Certification. In contrast, video streaming services such as Netflix and Amazon Prime, which have become key distributors for new movies and entertainment content and have gathered millions of subscribers in India in recent years, have not had to follow any such requirement.* It cannot be denied that regulation, of the light-touch kind, which serves as an advisory for the content being presented to the viewers, plays a useful role.

But is the intent here to create a level playing field, and nothing more? And how will the regulatory mechanisms function? These will be the key questions. *The fear is that this will just end up facilitating more governmental interference and censorship, especially problematic when it comes to regulating digital news.* There is little to be said about the average politician's appetite for independent journalism and political satire. *In a democracy, whose progress is dependent on free speech, it is important then that regulation is not an excuse to stifle voices, especially those not palatable to the ruling class.* There is little doubt that digital media have grown to be influential even if some sections have struggled to make money. The government recognises this, and just a few months ago, introduced new investment rules for digital news media, where a number of legitimate initiatives have now taken shape. It is also important that the government recognises that there is really no reason to have a different regulatory mechanism for digital news. For decades now, the print media and television media have managed themselves in self-regulation frameworks where one of their main goals has been to maintain their independence. Self-regulation is a must, and censorship a definite no-no.

WHAT OTT PLATFORMS COMING UNDER IB MINISTRY MEANS FOR NETFLIX, OTHERS

The government has brought video streaming over-the-top (OTT) platforms such as Netflix, Amazon's Prime Video, Hotstar, and others under the ambit of the Ministry of Information and Broadcasting. These platforms were so far under the purview of the Ministry of Electronics and Information Technology. With a market size of nearly Rs 500 crore at the end of March 2019, the online video streaming platforms may become a Rs 4000-crore revenue market by the end of 2025, according to reports. At the end of 2019, India had as many as 17 crore OTT platform users.

What are OTT platforms?

OTT, or over-the-top platforms, are audio and video hosting and streaming services which started out as content hosting platforms, but soon branched out into the production and release of short movies, feature films, documentaries and web-series themselves. These platforms offer a range of content and use artificial intelligence to suggest users the content they are likely to view based on their past viewership on the platform. Most OTT platforms generally offer some content for free and charge a monthly subscription fee for premium content which is generally unavailable elsewhere. The premium content is usually produced and marketed by the OTT platform



themselves, in association with established production houses which historically have made feature films.

What are the laws regulating OTT platforms?

So far in India, there are no laws or rules regulating OTT platforms as it is a relatively new medium of entertainment. Unlike television, print or radio, which follow guidelines released by governments, OTT platforms, classified as digital media or social media, had little to no regulation on the choice of content they offered, the subscription rates, certification for adult movies and others. In India, the regulation of such platforms has been widely debated and discussed. Following pressure to regulate the content being made available on these streaming platforms, the Internet and Mobile Association of India (IAMAI), a representative body of the OTT platforms had proposed a self-regulatory model. The Online Curated Content Providers or OCCPs had also proposed a Digital Curated Content Complaints Council along with the self-regulatory mechanism as a part of its proposed two-tier structure. The proposal, however, was shot down by the Ministry of Information and Broadcasting, which will now oversee these platforms.

What happens now to the OTT platforms?

With the government deciding to bring films and audio-visual programmes made available by online content providers” as well as “news and current affairs content on online platforms”, the first challenge before the OTT platforms would be keeping a check on their content. The central government’s move to bring the OTT platforms under the I&B Ministry could also mean that these platforms would have to apply for certification and approval of the content they wish to stream. This in itself could give rise to many conflicts as most OTT platforms have content that could otherwise be censored by the certification boards in India. OTT platforms are likely to resist any plans to censor the content being provided and streamed by them as these platforms have often chosen to produce movies and documentaries on politically sensitive but relevant topics. It will also have to be seen as to what guidelines, if any, does the I&B ministry put in place for regulating these OTT platforms.

M.P. POLICE REGISTER FIR AGAINST 2 NETFLIX OFFICIALS

An FIR was registered in Madhya Pradesh against two executives of OTT platform Netflix for allegedly hurting religious sentiments through its web series *A Suitable Boy which showed kissing scenes purportedly on the campus of a temple*, an official said. The FIR has named Monika Shergill, Vice President, Content (Netflix) and Ambika Khurana, Director, Public Policies (Netflix), Madhya Pradesh Home Minister Narottam Mishra said. Meanwhile, Khargone Collector Anugraha P. said the controversial scenes do not appear to have been filmed inside a temple in Maheshwar town in the district. Bharatiya Janata Yuva Morcha demanded an apology from Netflix and the makers of the series, and removal of “objectionable scenes”, which he said were also “encouraging love jihad”.

INTER-FAITH MARRIAGES, CONVERSION AND THE LAW

The Special Marriage Act, 1954 (SMA) was enacted to facilitate the marriage of couples professing different faiths and preferring a civil wedding. However, some practical problems arise in registering such marriages. The law’s features *on prior public notice being given and objections*

70% 80%



being called from any quarter place a question mark on the safety and privacy of those intending to marry across religions. Many settle for marriage under the personal law of one of them, with the other opting for religious conversion. Even this option is now under threat, as recent remarks by the Chief Ministers of Uttar Pradesh and Haryana and a Karnataka Minister indicate. All of them want to ban conversion for the sole purpose of marriage.

What are the features of the SMA?

The marriage of any two persons may be solemnised under the SMA, subject to the man having completed 21 years of age and the woman 18. Neither should have a spouse living; both should be capable of giving valid consent, should not suffer from any mental disorder of a kind that renders them unfit for marriage and procreation. They should not be within the degrees of prohibited relationship — that is, they should not be related in such a way that their religion does not permit such marriages. Parties to an intended marriage should give notice to the ‘marriage officer’ of the district in which one of them had resided for at least 30 days. The notice will have to be entered in a ‘Marriage Notice Book’ and a copy of it displayed at a conspicuous place in the office. The Notice Book is open for inspection at all reasonable times without a fee. Further, if either of the parties is not a permanent resident of the district, the marriage officer has to send a copy to his counterpart in the district where the party has permanent residence. The notice shall be displayed in that district office too. The marriage has to be solemnised within three months of the notice, and if it is not, a fresh notice will be needed. The law also provides for objections to the marriage. Any person can object to the marriage within 30 days of the publication of the notice on the ground that it contravenes one of the conditions for a valid marriage. The marriage officer has to inquire into the objection and give a decision within 30 days. If he refuses permission for the marriage, an appeal can be made to the district court. The court’s decision will be final. Also, the Act says that when a member of an undivided family who professes Hindu, Buddhist, Sikh or Jaina religions, gets married under SMA, it results in his or her “severance” from the family.

What are the hurdles faced by couples?

The provisions relating to notice, publication and objection have rendered it difficult for many people intending to solemnise inter-faith marriages. Publicity in the local registration office may mean that family members objecting to the union may seek to stop it by coercion. In many cases, there may be a threat to the lives of the applicants. There have been reports of right-wing groups opposed to inter-faith marriages keeping a watch on the notice boards of marriage offices and taking down the details of the parties so that they can be dissuaded or coerced into abandoning the idea. *In July, the Kerala Registration department decided to discontinue the practice of uploading marriage notices on its websites following complaints that these were being misused for communal propaganda. However, the notices will be displayed on the notice boards of the offices concerned. These provisions have been challenged in the Supreme Court recently on the grounds that they violate the privacy of the couples, their dignity and right to marry. In the case of Hindu and Muslim marriage laws, there is no requirement of prior notice and, therefore, such a requirement in the SMA, say experts, violates the right to equality of those opting for marriage under it.*

What are the other options for registration of inter-faith marriages?

Many opt for inter-faith marriages through the relevant law of the faith of one of the parties. This will involve one of them converting to the religion professed by the other. While conversion to Islam and Christianity has formal means, there is no prescribed ceremony for conversion to Hinduism. The



Hindu Marriage Act is also applicable to “any person who is a convert or re-convert to the Hindu, Buddhist, Jaina or Sikh religion”. In a recent ruling, the Allahabad High Court declined to grant police protection to a couple, of whom the bride was a Muslim who converted to Hinduism, citing past precedents that said conversion should be based on change of heart and conviction and should not be solely for the purpose of marriage. Based on a Kerala High Court recommendation, the Law Commission of India had recommended in 2010 that every person who has converted may be allowed to send a declaration within a month to the officer who registers marriages in the area, and it may be confirmed in person after 21 days. However, this recommendation was not made applicable to States that have a Freedom of Religion Act (which are essentially anti-conversion laws).

Are there laws against conversion for the sake of marriage?

Even though Chief Ministers of Uttar Pradesh (U.P.) and Karnataka have spoken about a separate enactment, at least two States have legal provisions to the effect. *The Himachal Pradesh Freedom of Religion Act, 2019, and the Uttarakhand Freedom of Religion Act, 2018, both prohibit conversion by misrepresentation, force, fraud, undue influence, inducement, allurement and ‘by marriage’.* There is a separate section in both laws under which, not conversion for the purpose of marriage, but marriage done solely for the purpose of conversion, may be declared null and void by a family court based on a suit by either party. The U.P. State Law Commission has recommended a similar Freedom of Religion law in the State and favours a provision under which marriages solemnised solely for conversion of one of the parties may be nullified by a family court.

POLICING FAITH

The proposed Uttar Pradesh ordinance seeking to prohibit “unlawful” religious conversions represents a regressive march towards unacceptable medievalism and a reprehensible zeal to police the private lives and beliefs of citizens. Cleared for promulgation by the Governor, it does not use the Islamophobic term that votaries of Hindutva have been bandying about to denote certain inter-faith marriages, but it is clearly targeted at the idea. It eschews the phrase “freedom of religion” that several other anti-conversion laws in other States have employed to title their laws. However, apparently inspired by similar legislation in Himachal Pradesh and Uttarakhand, it has sought to include “alluring into marriage” as an additional ground for declaring an instance of religious conversion as illegal, apart from the use of “force, coercion, undue influence and deceit”. The U.P. proposal envisages prison terms, from one to five years in general, three to five years for conversions involving women and SC/ST members, and adds a possible three to 10-year jail term for “mass conversion”. There is also a prior declaration provision on an intended conversion. These suggestions were contained in a report of the Uttar Pradesh State Law Commission submitted last year. While the panel had suggested that conversion solely for marriage should be declared null and void, the State’s note on the ordinance says it provides for invalidation of marriages solemnised solely for conversion.

While upholding the validity of the Freedom of Religion Acts of Madhya Pradesh and Odisha, in Stanislaus (1977), the Supreme Court had held that the “right to propagate” a religion did not include the “right to convert”. However, those early laws did not bar conversions by marriage. The Himachal Pradesh, Uttarakhand, and the proposed U.P. law would be vulnerable on that score. *After the Court’s “right to privacy” judgment, and the Shafin Jahan-Hadiya case (2018), it would be no more constitutional to use “marriage” as a ground for prohibiting conversion, as it involves the rights of*



privacy, choice and marital freedom. Further, all such previous laws were seen as “public order” legislation — the claim is that “forced” or “fraudulent” conversions lead to disturbance of order. *An inter-faith marriage, by itself, is unlikely to be seen by the courts as an event impinging on public order. Therefore, making marriage simpliciter a ground for rendering conversion illegal may not survive judicial scrutiny.* Probably to avoid this lacuna, the U.P. ordinance uses the term “allurement by marriage”, but its potential for misuse is the same. Further, the provision on mandatory prior declaration of an intent to convert is similar to the one *struck down by the Himachal Pradesh High Court in 2012 as violating the right to keep one’s faith a secret.* It is disconcerting that several States are keen to join this bandwagon against inter-marriages despite its potential for deepening social discord and communal divides.

WON’T INTERFERE IN PERSONAL RELATIONS, SAYS ALLAHABAD HC

The right to live with a person of his or her choice irrespective of religion is intrinsic to the right to life and liberty. Interference in a personal relationship would constitute a serious encroachment into the right to freedom of choice of two individuals, the Allahabad High Court has said. The court made the observations while *quashing an FIR against a Muslim man and his family from Kushinagar district by the father of his Hindu wife.* A Division Bench of Justices Pankaj Naqvi and Vivek Agarwal *also stated that a recent single-judge order of the court dismissing a writ petition filed by an inter-faith married couple seeking police protection on grounds that the conversion just for the purpose of marriage was unacceptable, was not laying good law.* In the Kushinagar case, petitioner Salamat Ansari filed a writ seeking the quashing of an FIR against him under the Protection of Children from Sexual Offences (POCSO) Act. Mr. Ansari submitted that the couple were adults and had performed nikah on September 19, 2019, as per Muslim rites and rituals. The girl, Priyanka Kharwar, renounced her Hindu identity and embraced Islam and the couple had been living together peacefully for the past year. Mr. Ansari also said that the FIR was lodged at the Vishnupura police station by his father-in-law out of “malice and mischief,” only with a view to bring an end to their marital ties. Counsel for the government and the informant opposed the submissions on grounds that conversion just for contracting a marriage was prohibited and that such marriage had no sanctity in law. *They cited a single-judge judgment in the 2014 case of Noor Jahan Begum alias Anjali Mishra and its recent reiteration in the Priyanshi alias Shamreen case on September 23.* In both cases, the girls had converted before marriage. The High Court quashed the FIR against Mr. Ansari and his family and stressed that the courts and the constitutional courts in particular were enjoined to uphold the life and liberty of an individual guaranteed under Article 21 of the Constitution. *“We do not see Priyanka Kharwar and Salamat as Hindu and Muslim, rather as two grown-up individuals who, out of their own free will and choice, are living together peacefully and happily,” Justice Naqvi said.* “We fail to understand that *if the law permits two persons even of the same sex to live together peacefully, then neither any individual nor even State can have objection to relationship of two major individuals who out of their own free will are living together,*” he added.

A CONSPIRACY AGAINST INTER-FAITH LOVE

In India, intermarriages between people of different regions, castes or religions have to a large extent been prevented by casteism, religious conservatism, and fear of parental authority. In a country as large and diverse as this, intermarriages are still a rarity. There are few inter-caste marriages and even fewer inter-religious ones. *Surveys large and small confirm that the vast majority of Indians (between 95% and 99% depending on the State) have arranged marriages, which*



are, by nature, intra-caste and intra-religious. Between 70% and 80% of Indians across all age groups and religions disapprove of inter-caste or inter-religious marriage. Those of us and our forebears who married across caste groups or across religious communities are a very small minority of around 5% and about 2%, respectively.

No evidence of 'love jihad'

25 But it is only quite recently that they conjured up a conspiracy theory in support of their campaign. Starting in coastal Karnataka and northern Kerala in the mid-2000s, Sangh vigilantes claimed that Hindu-Muslim romances were a well-thought-out conspiracy to seduce Hindu women in order to convert them to Islam and produce Muslim children. It was among these vigilantes that the term 'love jihad' was bandied about. A Karnataka Criminal Investigation Department (CID) investigation into complaints of 'love jihad' in 2009 concluded that there was no 'love jihad', only love and marriage between consenting adults. But the conspiracy theory, and the term 'love jihad', were exported to north India in the run-up to the 2014 general election. Over the next few years, as the Bharatiya Janata Party gained political ground, the term gained currency, adding another dimension to the Sangh Parivar's programme of communal polarisation. A National Investigation Agency (NIA) probe was ordered following continuing claims in Kerala in 2018. In Uttar Pradesh, whose current Chief Minister issued a public death threat to men he claimed were involved in 'love jihad', the police investigated 14 complaints. The NIA reached the same conclusion as the Karnataka CID did in 2009: there was no conspiracy to convert Hindu women, nothing called 'love jihad', all the women concerned had married and/or changed religions as independent thinking adults. The U.P. police have found that the majority of the cases probed were consensual. And in the cases identified as 'suspicious' by the police, neither is there evidence of forcible conversion nor of the fact that the women did not make their own choices. The conspiracy theory has evolved along the way. Its central premise is that no Hindu woman will fall in love with a man she knows to be a Muslim; Muslims disguise themselves as Hindus to get their way with obedient Hindu women and having ravished them, force them to convert.

Exercising choice

Characterising Hindu women as dim-witted and easily led is socially more acceptable than the idea that a woman can love outside artificial social boundaries and exercise choice. This is borne out by the many examples from across the country of parents using provisions of criminal law on rape and kidnapping to try and break up their daughter's relationship or marriage, entered into by choice. There are also examples from across the country of families that have conspired to murder their daughter or her husband or both, because their falling in love is an affront to family authority and to the social order determined by caste and religion. The insidious linking of inter-faith relationships with 'forcible conversion', however, gives this campaign a powerful toxicity. The Supreme Court affirmed in the case of Hadiya (formerly Akhila) and Shafin Jahan that no one had a right to interfere in the marriage of consenting adults. What the BJP State governments are proposing is a law that overturns this premise, by making the validity of a marriage subject to investigation on the basis of third-party complaints. It makes every Muslim marrying a Hindu suspect. It characterises Muslims as conspirators in a project of proselytization and colonisation of Hindu wombs. And it provides legal cover for Sangh organisations to carry on their decades-old campaign of harassment, and worse, against Hindu-Muslim marriages. To be sure, the RSS and its affiliates have been able to pursue their flagrantly anti-constitutional and unlawful methods in trying to prevent inter-religious marriages because their agenda feeds the casteism and religious



anxiety of the majority of Indians. This is why, all these years, they have had the easy support of court officials, the police, and in too many cases also the families of young people who have dared to love. The changes in law proposed by a few BJP State governments, if they go through, will create a decidedly hostile legal environment for Hindus and Muslims to marry. *What is already difficult, because of family, community and Sangh Parivar pressures, will become impossibly hard. Nazi Germany's Nuremburg laws prohibited sexual relations and marriages between Jews and non-Jews.* Violation of the law led to imprisonment and later, incarceration in a concentration camp. *Segregationist U.S. and apartheid South Africa had laws prohibiting inter-racial marriages and sexual relations. In South Africa, the law was enforced through surveillance and police raids.* In both countries, violations were punishable by imprisonment. In India, the Sangh Parivar can achieve the same ends without a law explicitly banning such marriages, so long as those who are unable to see beyond caste and religion conspire in its plan.

HIMACHAL PRADESH'S LAW AGAINST RELIGIOUS CONVERSION

Haryana Home Minister Anil Vij on Friday said that his government is considering a law against forced religious conversions and has sought information about such a law already in force in Himachal Pradesh. Vij said this during a discussion, in the Haryana Vidhan Sabha, on the *recent murder of woman outside her college* in Faridabad's Ballabhgarh. Last year, the Himachal Pradesh assembly passed the Freedom of Religion Bill, 2019.

The state had already enacted a law in 2007 which prohibited conversion from one religion to another by force or fraud. During the monsoon session of the assembly last year, chief minister Jai Ram Thakur introduced a more stringent version of the legislation.

What does the law say?

According to the Act, "no person shall convert or attempt to convert, either directly or otherwise, any other person from one religion to another by use of misrepresentation, force, undue influence, coercion, inducement or by any fraudulent means or by marriage; nor shall any person abet or conspire such conversion". *The Act does not cover a person re-converting to his "parent religion".* It further says that *any marriage done for the sole purpose of religion conversion may be declared null and void by a court* on a petition by either party.

What happens if anyone wants to convert to any other religion?

As per the Act, anyone who wishes to convert to any other religion will give a declaration to the district authorities at least one month in advance, specifying that one is doing so as per his/her "own volition or free consent". In fact, *even the religious priest who performs the conversion ceremony has to inform the authorities at least one month in advance.* The district magistrate will then conduct an inquiry regarding the "intention, purpose and cause of proposed conversion". The conversion will be rendered illegal if the authorities are not informed in advance.

The burden of proof

The Act says that the burden of proof is to whether a religious conversion was not effected through force or fraud lies on the person so converted, or the person who has facilitated the conversion.



What is the punishment?

All offences under the Act are *cognizable and non-bailable*. The violator can be punished with a prison term ranging from one to five years, along with a fine. In case the victim is a minor, woman or member of a Scheduled Caste or Tribe, the imprisonment may extend upto seven years. Failure to declare the conversion in advance can also result in an imprisonment of upto two years.

WHAT HARYANA'S MOVE TO RESERVE 75% PRIVATE JOBS MEANS FOR COMPANIES

On the lines of Andhra Pradesh government, Haryana too has announced it wants 75 per cent of private sector jobs in the state, till a certain salary slab, reserved for local candidates. The state Assembly has passed the Haryana State Employment of Local Candidates Bill, 2020 paving way for more employment opportunities for locals in private sector. Here is a look at the Bill, its provisions that may not go down well with the private sector and whether it can be legally challenged.

Which all sectors will be covered under this Bill?

All the companies, societies, trusts, limited liability partnership firms, partnership firms and any person employing 10 or more persons and an entity, as may be notified by the government from time to time shall come under the ambit of this Act. The definition of "employer" given in the Bill means a Company registered under the Companies Act, 2013 (Central Act 18 of 2013) or a Society registered under the Haryana Registration and Regulation of Societies Act, 2012 or a Limited Liability Partnership Firm as defined under the Limited Liability Partnership Act, 2008 (Central Act 6 of 2009) or a Trust defined under the Indian Trust Act, 1882 or a Partnership Firm as defined under Indian Partnership Act, 1932 or any person employing 10 or more persons on salary, wages or other remuneration for the purpose of manufacturing or providing any service or such entity, as may be notified by the government from time to time. It shall not include the central government or state government or any organisation owned by the central or state government.

Why is Industry not impressed with the move?

Several top industrialists in Haryana have time and again apprised the concerned authorities and government functionaries that the move of restricting employment for Haryana's candidates may not be in the interest of industry. JJP MLA Ram Kumar Gautam strongly objected against the Bill in Vidhan Sabha on Thursday and even called it "absolutely ridiculous legislation" that is "100 per cent wrong". Gautam raised apprehensions that if Haryana implements this kind of a reservation, other states will also follow the same and that shall result in a "complete chaos".

Is this reservation Bill violative of Article 16 of the Constitution of India?

Andhra Pradesh's decision of introducing 75 per cent reservation for local candidates was challenged in the Andhra Pradesh High Court which observed that "it may be unconstitutional". The Andhra Pradesh High Court had asked state government to inform if the quota-law was enacted as per the Constitution. Similar concerns were raised in Haryana Vidhan Sabha by Congress legislator BB Batra, who called the Bill a violation of Article 16 of the Constitution of India. However, Haryana government claims that while Article 16 talks about the "public employment", the Bill only pertains to "private sector employment".



DOES YOUR CAR REMAIN A PRIVATE SPACE WHEN IT IS ON A PUBLIC ROAD? WHAT SC SAID

The Delhi government on November 18 told the Delhi High Court that a personal vehicle on a public road cannot be said to be a private zone — rather, it is a public space. The argument was given by the state to defend its decision of making it compulsory for people to wear masks when they are travelling in their personal or official vehicles, alone or otherwise. The reply was given in response to a lawyer's plea who has challenged the imposition of a fine of Rs 500 for not wearing a mask when he was travelling alone in his vehicle. The petitioner has sought compensation of Rs 10 lakh for the alleged mental harassment. What are the issues at hand, and what has the Supreme Court said in this regard earlier?

What is the guideline regarding the wearing of masks in Delhi?

Due to the widespread prevalence of Covid-19 in the national capital, the Chairman of the Delhi Disaster Management Authority (DDMA) in an order on April 8 directed that "it has become imperative that in the larger public interest, wearing of the mask by any person who is moving in any public place is essential". The order also went on explicitly state that "any person moving around in his personal and official vehicle must be wearing these masks compulsorily". Under The Delhi Epidemic Diseases (Management of COVID-19) Regulations, 2020, 'Authorized Persons' have the power to impose a fine of Rs 500 for the first violation of the directives or guidelines issued by the DDMA, and a fine of Rs 1,000 for repeated violations.

So why has the petitioner sought a compensation of Rs 10 lakh?

After being challaned by police for not wearing a mask in his car, the Delhi-based lawyer, Saurabh Sharma, approached the High Court in September, seeking a refund of the Rs 500 fine, and a compensation of Rs 10 lakh for the alleged mental harassment caused to him in public. *Sharma's argument is that his vehicle is a private zone, he was travelling alone*, and that the Ministry of Health and Family Welfare has clarified that no such guideline has been issued by the central government. *The Delhi government in its reply referred to the Supreme Court judgment in 'Satvinder Singh @ Satvinder Singh Saluja & Ors Vs. The State of Bihar' to defend its directive on wearing masks in vehicles.* The case was adjourned until January 7, 2021 to give the Centre time to clarify the position.

What was the case of Satvinder Singh in which the SC interpreted 'public place' in the context of a vehicle?

The Supreme Court was hearing an appeal by four Rotarians from Jharkhand, who while travelling from Giridih to Patna on June 25, 2016 in a vehicle, when subjected to a breath analyser test, were found to have consumed alcohol. Since Bihar is a 'dry' state, a case was registered against them under Section 53(a) of the Bihar Excise (Amendment) Act, 2016, which provides for penalty against whoever "consumes liquor in a public place or an unauthorized place". They were arrested and remained in custody for two days. The men first approached the Patna High Court with a plea to set aside the order passed by a Chief Judicial Magistrate taking cognizance of their case. After the HC dismissed the plea, they approached the Supreme Court. Their main argument before the apex court was that the vehicle in which they were travelling could not be said to be a "public place" within the meaning of Section 2(17A) of Bihar Excise (Amendment) Act, 2016, and that no liquor bottles or any other incriminating material had been found in their possession. It was also argued that while Section 2(54) of the Bihar Prohibition and Excise Act, 2016 includes private vehicles under



the definition of a public place, the same provision is not there in the Bihar Excise (Amendment) Act, 2016. The Bihar government argued that the vehicle had been intercepted on a public road, and Section 53(a) of the Bihar Excise (Amendment) Act, 2016 was fully applicable.

What did SC finally say regarding definition of 'public space' in this case?

The Supreme Court in its ruling said Section 2(17A) of the Bihar Excise (Amendment) Act, 2016 defines a "public place" to mean any place to which the public has access, whether as a matter of right or not — and includes all places visited by the general public, and also includes any open space. The key words are "any place to which public have access", which phrase is further qualified by the phrase "whether as a matter of right or not", the court noted. In the context of the case of the four Rotarians, the court noted that their vehicle was intercepted when it was on a public road. "When private vehicle is passing through a public road it cannot be accepted that public have no access. It is true that public may not have access to private vehicle as matter of right but definitely public have opportunity to approach the private vehicle while it is on the public road," the Bench of Justices Ashok Bhushan and K M Joseph said in the ruling passed on July 1 last year. The court dismissed the argument that a vehicle is not covered by the definition of "public place" as given in the law amended in 2016 by Bihar.

WHAT IS THE MEASURE OF 'OBSCENITY' IN INDIA?

Model and actor Milind Soman was booked by the Goa Police on November 6 for obscenity, days after he posted a photograph of himself running nude on a beach in the state. He is not the first celebrity in trouble with Goa Police for 'obscenity' this week — actor Poonam Pandey and her husband faced arrest for a controversial photoshoot, a video of which went viral online. Two high-profile cases on 'obscenity' in the same week come as no surprise, though. India has had a colourful history of prosecuting people for obscene conduct, obscene content and even obscene language.

What does Indian law say about obscenity?

Section 294 of the Indian Penal Code (IPC) punishes obscene acts or words in a public place. To be considered a crime, the obscenity must cause "annoyance to others". A person convicted under this law can face up to three months imprisonment. Obscene books are similarly criminalised under Section 292. The law on obscenity has evolved with the advent of the Internet and social media. Under Section 67 of the Information Technology Act, anyone who publishes or transmits obscene material in electronic form can be punished.

What is considered 'obscene'?

The Oxford dictionary defines obscene as 'offensive or disgusting by accepted standards of morality and decency'. But for lawyers, the meaning of 'obscene' is not as easy to settle on. For a book or object to be obscene, Section 292 of the IPC says it must be lascivious or prurient or have the effect of depraving or corrupting someone. The terms 'lascivious', 'prurient', 'deprave' and 'corrupt' have not been clearly defined, leaving room for interpretation by courts. The courts, for their part, have developed tests to determine whether something is 'obscene'. In 1965, the landmark Ranjit Udeshi judgment of the Supreme Court adopted the Victorian-era Hicklin test. The test assessed obscenity by the standard of someone who was open to immoral influences and was likely to be corrupted or depraved by the material in question. When approached from this angle, a wide range of material could be 'obscene'. Over the years, the judiciary has narrowed the scope of



obscenity. In the Ayeek Sarkar case of 2014, the Supreme Court did away with the British Hicklin test and adopted the American Roth test, instead. As per this test, *obscenity was to be evaluated like an average person would, applying contemporary community standards. The contemporary community standards test takes into account the changing values in society.* What was obscene a century or even a decade ago, need not be obscene now.

What about freedom of expression?

The right to freedom of speech and expression is not absolute. Article 19 of the Constitution of India, which guarantees the right also provides for reasonable restrictions on various grounds, including that of decency and morality. This means that free speech has to be balanced against the contemporary community standards of morality when it comes to penalising obscene acts or content. *Indian courts have often settled the debate between morality and freedom in favour of artistic freedom, such as in the M F Hussain judgment of 2008 and the Perumal Murugan judgment of 2016. In the latter, the Supreme Court held that "art is often provocative and is not meant for everyone"— material cannot be labelled as obscene simply because it is unpalatable to one section of society.* The court which granted bail to Poonam Pandey on November 6 seems to have been of a similar view. It observed that content perceived as obscene by some and artistic by others cannot be a ground to jail a person.

Who has been prosecuted for 'obscenity' before?

Obscenity laws in India predate Independence. They have been used in colonial India against writers such as Saadat Hasan Manto and Ismat Chughtai whose works traversed themes of sexuality, including female sexuality. From novels like Lady Chatterley's Lover and paintings like 'Bharat Mata' to biopics like Bandit Queen and comedy shows like All India Bakchod, there have been allegations of obscenity against all kinds of art and popular culture. Hollywood actor Richard Gere faced an arrest warrant after he kissed Shilpa Shetty on her cheeks during an AIDS awareness programme in 2007. The Kiss of Love campaign, which was launched in 2014 in Kerala to protest moral policing by kissing in public, faced backlash from the same right-wing groups that it was trying to counter. The campaign was dropped after the government threatened action under obscenity laws.

What about public nudity like in Soman's case?

Protima Bedi courted controversy in 1974 when she ran naked on a Mumbai beach for a magazine photoshoot. Soman himself has faced obscenity charges for nudity before—he and model Madhu Sapre posed naked with a python wrapped around them for an advertisement in 1995. They were acquitted after a 14-year-long trial.

HOME MINISTRY AMENDS FCRA RULES

The Ministry of Home Affairs (MHA) has relaxed norms for farmer, student, religious and other groups who are not directly aligned to any political party to receive foreign funds if the groups are not involved in "active politics". The Ministry notified new rules under the Foreign Contribution Regulation Act (FCRA), 2010 on Wednesday thereby amending the FCRA Rules, 2011. The new rule said, "The organisations specified under clauses (v) and (vi) of sub-rule (1) shall be considered to be of political nature, if they participate in active politics or party politics, as the case may be." The 2011 rules on said clauses dealt with "guidelines for the declaration of an organisation to be of a



political nature, not being a political party”, and the Central government could specify an organisation as that of political nature based on six criteria. Clause V of Rule 3 (FCRA 2011) qualified a political group as, “organisations of farmers, workers, students, youths based on caste, community, religion, language or otherwise, which is not directly aligned to any political party, but whose objectives as stated in the memorandum of association, or activities gathered through other material evidence, include steps towards advancement of political interests”. The other 2011 clause (VI) qualified a group as political if the “organisation by whatever name called habitually engages itself in or employs common methods of political action like rasta roko, jail bharo, rail roko, bandh or hartal in support of public causes”. *A new clause says that groups mentioned in Clause V and VI will only be considered a political group if they participate in “active politics or party politics”.* As per the FCRA, *members of legislatures, political parties, government officials, judges and media persons are prohibited from receiving any foreign contribution.*

WINTER SESSION OF PARLIAMENT UNLIKELY AMID RISING COVID CASES

The winter session of Parliament that usually commences by last week of November is unlikely to be held due to the high number of COVID-19 cases in Delhi, according to sources. As per parliamentary records, there have only been three instances in the past of the winter session not being held — in 1975, 1979 and 1984. The Cabinet Committee on Political Affairs (CCPA) meets to decide the dates for the session and the announcement has to be made giving Members of Parliament at least two weeks’ notice. So far, the CCPA has not met and the government is mulling over combining the Budget session of Parliament, which usually begins on February 1, and the winter session. The Constitution mandates there should not be a gap of six months or more between two sessions. With the monsoon session of Parliament held in September, the government has no constitutional compulsion to hold a winter session. During the monsoon session of Parliament, nearly 40 MPs tested positive for the virus. Rajya Sabha Chairman and Vice President Venkaiah Naidu also tested positive soon after the conclusion of the winter session. So far three MPs — Kanniyakumari MP H. Vasanthakumar, Tirupati MP Balli Durga Prasad and Rajya Sabha MP Ashok Gasti have died due to complications arising from COVID-19 infection. None of them had attended the session. The monsoon session that was called on September 14 was supposed to go on till October 1, with a total 18 sittings. It was cut short by eight days and concluded on September 24. The previous Budget session of Parliament too ended abruptly on March 23 for a similar reason.

NATIONAL CLEAN AIR PROGRAMME (NCAP)

In February, Finance Minister Nirmala Sitharaman announced a ₹4,400 crore package for 2020-21 to tackle air pollution in 102 of India’s most polluted cities. The funds would be used to reduce particulate matter by 20%-30% from 2017 levels by 2024 under the National Clean Air Programme (NCAP) though it isn’t clear yet what the budgetary outlays for subsequent years are likely to be. Though it was the largest-ever yearly allocation by a government to specifically tackle air pollution, the fine print revealed that only half the money was finally allotted to 15 States (and 42 cities in them) in November. The rest will be given in January based on how cities achieve certain ‘performance parameters’ that are still being worked out by the Centre.

In the year of the COVID-19 pandemic, it should surprise no one that the National Green Tribunal has prohibited the sale and use of firecrackers during Deepavali in the National Capital Region of Delhi and in urban centres that recorded poor or worse air quality in November last year. The directions expand on Supreme Court orders issued in the past, and provide some concessions to cities and



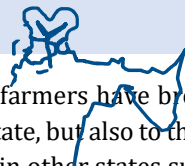
towns that have moderate or better air quality, by allowing “green crackers” and specified hours for bursting. These stipulations are to extend to Christmas and New Year if the ban continues beyond November. The NGT took note that Odisha, Rajasthan, Sikkim, Chandigarh, the Delhi Pollution Control Committee and the Calcutta High Court had already responded to deteriorating environmental conditions by banning firecrackers this year. The tribunal’s reasoning giving primacy to the precautionary principle in sustainable development over employment and revenue losses is understandable. As the impact of COVID-19 became clear in March, and there were fears of a case surge during the winter, it was incumbent on the Centre to work with States and resolutely prevent the burning of farm stubble ahead of Deepavali. This annual phenomenon unfailingly fouls the air across northern and eastern India, and imposes heavy health and productivity costs. In the absence of pollution from agricultural residue, there might have been some room for a limited quantity of firecrackers, although climatic conditions at this time of year, of low temperature and atmospheric circulation, would still leave many in distress. Only damage control is possible now, including steps to address the concerns of the fireworks industry.

Even without the risk of a COVID-19 surge, it should be evident to policymakers that their measures under the National Clean Air Programme, which seeks to reduce particulate matter pollution by 20% to 30% by 2024, must be demonstrably effective. By the government’s own admission, there were 148 days of poor to severe air quality during 2019 in the NCR, down from 206 days the previous year. Many other cities have a similar profile, but get less attention. With 40% of all pollution-linked deaths attributed to bad air quality in leading emerging economies and some evidence from the U.S. on higher COVID-19 mortality in highly polluted areas, it is time governments showed a sense of accountability on the right to breathe clean air. Tamil Nadu, where 90% of firecrackers are produced, has legitimate concerns on the fate of the industry this year, which, producers claim, represents about ₹2,300 crore worth of output. A transparent compensation scheme for workers, and suitable relief for producers may be necessary, although the longer-term solution might lie in broad basing economic activity in the Sivakasi region, reducing reliance on firecrackers.

PUNJAB REVOKES GENERAL CONSENT GIVEN TO CBI

The Punjab government has withdrawn general consent given to the Central Bureau of Investigation (CBI) for investigating cases in the State. A senior government official confirmed to The Hindu that an order in this regard has been issued. With this, the CBI would have to seek prior permission from the State government for conducting any investigation. The order issued by the State government states that it was revoking the general consent for investigating cases by “members of the Delhi Special Police Establishment”, said the official. *The CBI derives its legal powers from the Delhi Special Police Establishment Act, 1946* The order adds that in any future investigation of any offence in the State, prior consent of the government of Punjab would be required on a case-to-case basis.

THE RAILWAYS NETWORK IN PUNJAB, AND HOW IT HAS BEEN IMPACTED BY THE ONGOING PROTESTS



The ongoing protests by farmers have brought all train services to a halt in Punjab. As a result, supplies to not just that state, but also to the Union Territories of Jammu and Kashmir and Ladakh, have been cut off. Unlike in other states such as Rajasthan or Haryana – which have seen several “rail-roko” agitations in recent years – in Punjab, train services cannot be diverted to other routes



to get around blockades. In fact, it takes very little to cut off the entire Indian Railways network in Punjab and further northward in the country.

A specific geography

To the west of Punjab is Pakistan and to the east, Himachal Pradesh. Entry and exit is only through a few strategically developed junctions that are the nerve centres of the entire railway connectivity in the state. These junctions are crucial to transporting both supplies and passengers.

WITH TRAINS SUSPENDED, WHAT HAPPENS IF PUNJAB FIELDS DON'T GET UREA ON TIME?

With movement of goods trains suspended, Punjab's fields are waiting for a crucial fertiliser, urea. The state is facing a shortage of around 8 lakh tonnes of urea, including 4 lakh tonnes needed in November for Rabi crops, mainly wheat, which is grown over 35 lakh hectares. What will happen to crops if they don't get urea on time, or not at all? And what other options will farmers have? The Indian Express explains:

Why and when is urea used on crops?

Urea provides nitrogen to crop, which enhances productivity. It is required around 30 days after sowing of wheat, potato, etc. It is applied with the first irrigation of wheat, which is normally done after 30 days of sowing. Urea dissolves in properly irrigated or moist fields only -- urea otherwise, it diffuses in the air. Also, even in moist fields, only 40% urea remains in the field, and the rest evaporates. Normally, three doses of 45 Kg each are applied on wheat between 30 to 60 days of sowing. So the crop sown in October end and early November would need it by the end of this month.

What will happen if the application is delayed, or missed?

According to Dr. Baldev Singh, Joint Director Fertilisers, Punjab Agriculture department, if the first dose is delayed by 10-15 days, the yield will be affected by 10-15%. If there is no application of urea due to its non-supply, the yield may go down by 35 to 40%. Experts said that Punjab has already been overusing urea, and crops can take some of it from the air -- which contains nearly 79% nitrogen -- through moderate rains.

What are the options available to the farmers if urea doesn't reach on time?

Water soluble chemical sprays are an option, but even these are not available in the required quantity in Punjab. Organic farming is the other option, which needs neither urea nor diammonium phosphate (DAP). Farmer Amarjit Singh from Char-Ke village in Bhogpur (Jalandhar), who has been practising organic farming for over a decade now, said that in place of urea, he uses 60 kg mustard oil cake (Sarson Khal) per acre in two doses of 30 kg each, costing around Rs 1,200. And to give further nutrition to the crop, dung cakes can be mixed in water and sprayed close to the roots of the plants. This costs almost nothing, as cow dung cakes are available with every farmer in Punjab. *Cow dung cake contains Gibberellic acid, which is very good for plant growth and enhances photosynthesis.* Amarjit said: "Yield in organic farming is around 35 to 40% less against chemical farming, but then I sell chemical-free wheat at Rs 5,000 per quintal, while common farmers sell at a MSP of Rs 1,925 per quintal." "There is great demand for it and people from Punjab are procuring chemical-free wheat from MP," he said. "Also, if the Centre is not thinking



about Punjab's farmers, they should think about themselves and choose options like organic farming, where they can grow diverse crops and get better price for them."

Is it possible to go for organic farming on a huge 35 lakh hectares of wheat crop?

"Necessity is the mother of invention and this opportunity must be availed by the farmers. Also, the Centre must procure such crop at a premium price because it is good for the health of the nation, which needs chemical-free food products. The Centre itself has been promoting organic farming as well as '*Zero Budget natural farming*,'" said Devinder Sharma, Agriculture and food expert. He said that even Punjab has been promoting 'chemical free' Basmati for the past couple of years, following the rejection of Basmati containers by European countries because of pesticide residue. Experts from Agriculture and Processed Food Products Export development Authority' (APEDA) also promote chemical free basmati and paddy in Punjab. Farmer leader Balbir Singh Rajewal in one of his social media posts has told farmers the Centre now does not need bulk grain from Punjab, and so farmers can gradually turn towards organic farming despite its lesser yield.

FALLEN THROUGH THE CRACKS (NEETHI P. IS WITH THE INDIAN INSTITUTE FOR HUMAN SETTLEMENTS, BANGALORE AND TEACHES ON LABOUR INFORMALITY AND WOMEN'S WORK)

The year 2020 marks the anniversary of two major events concerning the status of women. First, it is nearly fifty years since the Committee on the Status of Women in India (CSWI) submitted the report 'Towards Equality' to the United Nations (UN), which focused on women-sensitive policymaking in India, providing a fresh perspective on gender equality. Second, it is the 25th anniversary of the Beijing Platform for Action, a benchmark for analysing the condition of women and State-led empowerment. Noting these jubilees, this article reviews the position of women's work in India, the effects of the ongoing pandemic, and the new Indian labour codes in relation to women's labour. India's female employment trends do not resonate with its high economic growth, low fertility, and rise in female schooling. *Between 2004 and 2018 — unlike the shrinking gender gap in educational attainment — the gender gap in workforce participation yawned, demonstrating one of the lowest labour participation rates for women, which have been consistently declining since 1950.* The recently released Periodic Labour Force Survey (PLFS), 2018-19 indicates a dramatic fall in absolute employment for men, and more so women, who faced a decline in labour participation rates (from 2011 to 2019) in rural areas from 35.8% to 26.4%, and stagnation in urban areas at around 20.4%. Furthermore, the World Economic Forum's Global Gender Gap Report ranks India at 149 among 153 countries in terms of women's economic participation and opportunity. The gender wage gap is the highest in Asia, with women 34% below men (for equal qualification and work), according to a 2019 Oxfam report. This stifles women's labour force participation, despite the guarantees of India's Equal Remuneration Act, 1976. Women also disproportionately populate India's informal economy, and are concentrated in low-paid, highly precarious jobs. Research analyst Shiney Chakraborty's estimates show that agriculture employs nearly 60% of women, who form the bulk of landless labourers in an almost completely informal sector, with no credit access, subsidies, little equipment, and abysmal asset ownership. According to IndiaSpend, only about 13% of women tillers owned their land in 2019. Manufacturing employs (almost completely informally) only around 14% of the female labour force. The service sector sees women disproportionately involved in care-work. According to the National Sample Survey (NSS) 2005, over 60% of the 4.75 million domestic workers are women.



COVID-19 fallout

In the context of the ongoing pandemic, in India, the Centre for Monitoring Indian Economy (CMIE) showed that 39% of women lost their jobs in April and May compared to 29% of men, corroborating the UN's fears of COVID-19's compounding impact on already low-paid and insecurely-employed poor women. Unsurprisingly, India's strikingly unequal gender division of household work has also worsened during the pandemic. Women spend (an unpaid) three times (as per NSS) or even six times (as per OECD) more time than men in household work. According to the World Health Organization, 70% of the world's healthcare and social workers are women. In India, women are indispensable as frontline ASHA workers, but they are underpaid and overworked. India recently passed three labour codes, on occupational safety, health and working conditions, on industrial relations, and on social security. The laws are expected to transform labour relations, but they only end up 'easing business'. The codes acknowledge neither the gender wage gap nor non-payment of wages and bonuses, and ignore informal (mostly women) workers in terms of social security, insurance, provident fund, maternity benefits, or gratuity. Though 'allowing' women to work night shifts, there is little focus on accountability and responsibility; even protection from sexual harassment at workplace is missing. Maternity benefits remain unchanged from the 2017 amendment, with an insensitively formulated adoption leave policy that grants leave to women who adopt infants under the age of three months, ignoring that most children are much older at the time of adoption, and offering little incentive to adopt long-awaiting older children. The recent labour codes disregard women's work conditions. This is, bluntly, women-insensitive labour policy-making, and, all in the middle of a crushing pandemic. Gender cannot be wished away, since every policy and code affects a giant proportion of India's workforce — both paid and unpaid, acknowledged and unacknowledged.

A RECIPE TO TEAR DOWN TRADE UNIONS (THE AUTHOR IS GENERAL SECRETARY OF THE NEW TRADE UNION INITIATIVE)

Labour law 'reform' has been on the table since 1991 as every government's favourite solution for economic growth. Yet, there was no consensus between governments, political parties, workers and their trade unions, and employers, on what this meant. Unlike other political formations, the BJP has been in unqualified agreement with employers that the existing labour laws needed to be replaced. During its rule in 1998-2002, the BJP constituted the 2nd National Labour Commission and limited trade union representation in it. The consequent recommendations of the Commission were rejected by trade unions across the country. This time too, *the BJP-led Central government has actively excluded trade unions from pre-legislative consultations on drafting the new labour codes, repealing all existing labour laws and replacing them with four new labour codes. It saw these through Parliament in the absence of the Opposition, whilst ignoring substantive recommendations of the Parliamentary Standing Committee. The BJP portrayed the now-repealed laws as serving only a small, exclusive section of working people, while claiming that what has now been legislated has a universal reach. This is just political chicanery. What is common to all the four codes is that they dilute workers' rights in favour of employers' rights, and together undermine the very idea of workers' right to association and collective action.*

Long history

Trade unions first emerged in the 19th century as self-managed organisation of workers in the face of extreme exploitation. They provided, and continue to provide, a collective voice to working



people against employers' exploitative, unfair and often illegal practices. It is through trade unions that workers have been able to win better wages, fairer employment conditions, and safe and secure workplaces. *In India, workers won the legal right to form trade unions under the colonial rule in 1926, when the Trade Union Act (TUA) was adopted.* The law provided a mechanism for the registration of trade unions, from which they derived their rights, and a framework governing their functioning. The TUA also bound workers' actions within a legal framework by providing for deregistration if a trade union "contravened any provisions of the Act". *The TUA gave workers the right, through their registered trade union, to take steps to press their claims, and where necessary, as in the case of a malevolent employer, agitate for their claims and advance them before the government and the judiciary. It also provided members (workers) and elected officers of a union a degree of immunity, including against the law on criminal conspiracy. Importantly, the law recognised that actions based on collective decisions by workers were legal and did not constitute criminal conspiracy. The so-called "simplifying" of labour laws, repealing the TUA, the Industrial Disputes Act, 1947 and the Industrial Employment (Standing Orders) Act, 1946, and creating the Industrial Relations Code (IRC), has a very sinister outcome for workers' right to association.* The code enormously widens the grounds under which a trade union may be deregistered. Under the TUA, deregistration was limited to the internal functioning of a union — in case a union violated the financial rules set down under the law or its own constitution. The Standing Orders Act and the Industrial Disputes Act were concerned with conditions of employment and settlement of disputes respectively. They had nothing to do with the internal functioning, and, therefore, with the existence of a trade union.

Vague definitions

Under the new IRC, a trade union can be deregistered for contravention of unspecified provisions of the code. It simply says that deregistration would follow in case of "contravention by the Trade Union of the provisions of this Code". The possibility of deregistering a trade union in this unspecified manner shifts the balance completely in favour of employers, who continue to enjoy protection under the Companies Act. This violates the principles of equality before the law and of natural justice. When a trade union is deregistered, it can no longer represent its members (the workers) before the dispute resolution machinery or in court. And, *the moment a trade union loses its registration, any collective decision taken by its members and elected officers can be treated as illegal.* For example, a decision for strike action would leave employers free to either dismiss striking workers or charge them huge penalties for their claimed losses. It also means that *the trade union's members and elected officers lose their immunity from prosecution for criminal conspiracy for collective decisions and actions, which is exactly what the TUA protected them against. The new code has cut and pasted from the TUA the provisions granting immunity against charges of conspiracy, but this is meaningless if the trade union itself is deregistered.* The new code appears to be designed to deter collective action by workers' unions, and make them fearful of getting trapped in the cross hairs of the new, supposedly "simplified" code.

Extra-legal formations

With the threat of deregistration ever-present, workers and their unions will be pushed to create extra-legal formations like 'struggle committees' and 'workers' fronts, such as existed before the TUA, in order to advance their demands against unreasonable employers. This would have two outcomes: first, it will push employment dispute resolution outside the legal framework, which, in turn, will lead to the second, even more damaging outcome, which is criminalising working class



dissent, since workers' agitations will have to take place through extra-legal formations. The freewheeling provision for trade union deregistration in the IRC, apart from being an attack on a century-old universal right is, very importantly, also the withdrawal of an absolute right. *Once a trade union is deregistered or is effectively silenced by a constant and amorphous threat of deregistration, workers effectively lose their fundamental right to freedom of association.* This has grave implications for the working class's ability to defend its rights at a time when it is up against a capitalist class whose greed is insatiable, a vengeful government, and a capricious judiciary. Undermining trade unions, as the new code does, bodes ill for democratic rights in this country.

A LOOK AT KALVARI CLASS OF SUBMARINES AND ITS STRATEGIC SIGNIFICANCE

Indian Navy's fifth Kalvari-class Diesel Electric attack submarine INS Vagir was launched at Mazgaon Dock in Mumbai on Thursday. A look at this modern and stealthy class of submarines having been built under Project 75 and whose design is based on the Scorpene class of the submarines

Kalvari-class background

Indian Naval Ship (INS) Vagir, launched on Thursday, is the fifth among the six Kalvari-class submarines being constructed by the public sector shipbuilder Mazgaon Dock Ltd (MDL) in Mumbai. The other vessels in the class are INS Kalvari, INS Khanderi, INS Karanj, INS Vela and INS Vagsheer. Of these *Kalvari and Khanderi have been commissioned in 2017 and 2019, Vela and Karanj and undergoing sea trials, Vagir has now been launched and Vagsheer is under construction.* After its launch today, Vagir will commence with the setting to work of various equipment and the Harbour Acceptance Trials. The crew will subsequently sail the submarine for the Sea Acceptance Trials after which the submarine would be delivered to the Navy. *The submarines in the current Kalvari-class take their names from erstwhile decommissioned classes of submarines named Kalvari which included Kalvari, Khanderi, Karanj and Vela class — which included Vela, Vagir, Vagshir. The now-decommissioned Kalvari and Vela classes were one of the earliest of the submarines in post independence Indian Navy, which belonged to Soviet origin Foxtrot class of vessels. Launch of a vessel is the process of transferring the ship from dockyard to water and is different from the commissioning of the ship, when it actually enters the active service.* In maritime parlance *a class of ships is a group of vessels which have the same make, purpose and displacement.* In the Navy and Coast Guard in India, the ships belonging to a particular class are named in a specific manner. Many times the names have the same first letters, prefixes, similar meanings or the names belong to a particular type of words for example names of cities, persons, mythological concepts, animals, rivers, mountains, weapons, etc. *The class is generally named after the first vessel in the category.* In some cases, a particular class of vessels take their names from an earlier class of vessels which are now decommissioned. Like *Kalvari – which means Tiger Shark, Vagir has been named after a Sand Fish, a predatory marine species. Khanderi has been named after an Island Fort built by Chhatrapati Shivaji, which played a key role in his Navy. Karanj has also been named after an Island located South of Mumbai.*

Technical details

The design of Kalvari class of submarines is based on Scorpene class of submarines designed and developed by French defence major Naval Group formerly DCNS and Spanish state owned entity Navantia. This class of submarines have Diesel Electric transmission systems and these are



primarily attack submarines or 'hunter-killer' type which means they are *designed to target and sink adversary naval vessels*. The Kalvari-class submarines have capability of operating in a wide range of Naval combat including *anti-warship and anti-submarine operations, intelligence gathering and surveillance and naval mine laying*. These submarines are around 220 feet long and have a height of 40 feet. It can reach the highest speeds of 11 knots when surfaced and 20 knots when submerged. The modern variants of the Scorpence class of submarines have what is called the *Air Independent Propulsion (AIP) which enables non-nuclear submarines to operate for a long time without access to surface oxygen*. Two of six submarines in Kalvari class are equipped with AIP. It also needs to be noted that the Defence Research and Development Organisation (DRDO) has an ongoing programme to build a fuel cell-based AIP system for Indian Naval Submarines. *The Kalvari class of submarines are capable of launching various types of torpedoes and missiles and are equipped with a range of surveillance and intelligence gathering mechanisms.*

Strategic importance

India currently operates one submarine each in nuclear powered Classes of Chakra and Arihant and in addition to 14 submarines belonging to three classes of Diesel Electric category — Kalvari, Shishumar and Sindhughosh, some of which are ageing. The nuclear powered and diesel electric submarines have their designated roles in the Carrier Battle Groups, which are formations of ships and submarines with Aircraft Carriers at the lead role. *As per the basic principles of submarine deployment and minimum requirement for India to create a strategic deterrence, there is a specific number of submarines of both types that India needs to have in active service*. Currently India has less number of submarines than what is required with some more of those from both types being at various stages of construction. *In the late 1990's, around the time of Kargil war, a three decade plan took shape for indigenous construction of submarines which is known to have two separate series of submarine building lines – codenamed Project 75 and Project 75I — in collaboration with foreign entities*. The Ministry of Defence is also known to have put place a roadmap for indigenous design and subsequent construction submarines which will further add numbers to the Navy's arsenal.

Launch on Thursday

The submarine which was till now identified as 'Yard 11879' was launched on Thursday at Kanhoji Angre Wet Basin of Mazagon Dock Limited (MDL). *Minister of State for Defence Shripad Yesso Naik presided over the ceremony via videoconferencing from Goa and the submarine was formally named Vagir in accordance with the Naval traditions by his wife Vijaya Naik*. The ceremony was also attended by senior naval officers and dignitaries both from Integrated Headquarters Ministry of Defence (Navy), Headquarters Western Naval Command and officials from Naval Group, France.

WHY WAS THERE A DELAY IN COUNTING OF VOTES IN BIHAR AMID COVID-19?

Counting of votes for the Bihar election took unusually long by today's standards. During the paper ballot era, the Election Commission (EC) would take up to 48 hours to announce results. But since the introduction of Electronic Voting Machines (EVMs) in the early 2000s, results have started coming in the same day. Now, winning leads are usually evident by the afternoon with experts and news channels calling elections in the late afternoon. Given the rapidness of recent election results, the delay in counting of votes in Bihar on Tuesday has piqued everyone's interest. By 2 pm, the EC had counted roughly 1.5 crore (or one-third) of the total 4.10 crore votes polled. By



5.30 pm, the poll panel had completed counting two-thirds of the votes. This is considered unusually slow.

Bihar election results: What explains the unusually slow counting?

The Election Commission attributed the delay to an increase in the number of EVMs deployed as part of Covid-19-related precautions. *To maintain social distancing, the Commission had capped the maximum number of voters per booth at 1,000 — down from 1,500 in 2015. This prompted a 63% increase in the number of polling stations — from 65,367 in 2015 to 1,06,526. More polling stations means more EVMs. And more EVMs, in turn, mean more rounds of counting and a longer wait for the final result. One round of counting usually lasts about 20 to 30 minutes. On average, each constituency in Bihar had 35 rounds of counting scheduled on Tuesday, as opposed to 24 in the pre-Covid era.* It is this that caused counting to be slower than usual, with only two-thirds of the votes counted till 5.30 pm. Interestingly, *there has also been an increase in the number of votes polled through postal ballots — from 1.3 lakh in 2015 to 2.5 lakh.* All these reasons, along with wafer-thin margins in several seats, added to the wait.

Many parties are asking for a recount. What is the procedure?



The penultimate round of EVM counting doesn't start unless the counting of postal ballots is over. *In case the victory margin is less than the total number of postal ballots received, then a re-verification is done even if no candidate or agent has asked for it.* On Tuesday, the Commission referred to this instruction when asked about the request from the Left parties for a recount in three seats. Apart from this provision, *Rule 63 of the Conduct of Election Rules explicitly allows a candidate or his agent to demand a recount of postal ballots or EVM votes before the result is formally declared. The application for a partial or complete recount has to be made in writing along with strong reasons for the demand. The Returning Officer considers the grounds provided and may allow the recount in part or whole. The Returning Officer has to record her reason for both permission and rejection.* According to the EC's former Legal Adviser S K Mendiratta, the necessity of recount has been almost eliminated with the introduction of EVMs since every vote recorded in the machine is considered valid. "Errors can only occur at the time of noting down the count by the candidate, agent to election officer. This is essentially a recheck and not recount," he told The Indian Express. However, *the recheck of EVM votes and recounting of postal ballots can only be done before the formal declaration of results on Form 21C. After that, a candidate's only recourse is an election petition.*

BIHAR EDUCATION MINISTER QUILTS HOURS AFTER ASSUMING CHARGE

Bihar's new Education Minister Mewalal Choudhury resigned within hours of assuming charge, after Opposition parties raised questions about his "tainted past". The Governor accepted his resignation with immediate effect. Building Construction Department Minister Ashok Choudhary was given additional charge of the portfolio. Mr. Choudhury, a two-time JD(U) MLA from Tarapur in Munger district, had taken oath as Minister in Chief Minister Nitish Kumar's Cabinet on November 16. On Thursday afternoon, he assumed charge as Education Minister. Later, he met Mr. Kumar for an hour and soon afterwards sent his resignation to the Raj Bhavan. The Opposition RJD had been questioning Mr. Kumar about his "zero tolerance" for corruption claim following *Mr. Choudhury's induction into the Cabinet. Mr. Choudhury, former Vice-Chancellor of Bihar Agriculture University of Sabour in Bhagalpur district from 2010 to 2015, was an accused in a scam in the recruitment of*



assistant-cum-junior scientists (2012-13). An FIR was lodged against him at the Sabour police station under Sections 409, 420, 467, 468, 471 and 120(B) of Indian Penal Code. Some accused persons were arrested, but Mr. Choudhury secured bail.

68% OF NEWLY ELECTED MLAS IN BIHAR FACE CRIMINAL CASES

Sixty-eight per cent of the newly elected Bihar MLAs have pending criminal charges, with 51% of them having declared serious cases against themselves, including rape and murder, according to a report released on Wednesday by the Association for Democratic Reforms (ADR). In its analysis of the election affidavits of 241 of the 243 winning candidates, the ADR found that the number of winners with *criminal cases* had *increased from 142 or 58% of the total in 2015 to 163 or 68%* in 2020. Winning candidates who had declared *serious criminal cases*, including murder, kidnapping and crimes against women, also *increased to 123 or 51% from 98 or 40%* in the 2015 Assembly polls. The affidavits of two of the winners were not available on the Election Commission's site, the ADR said. Seventy-three per cent of the RJD and 64% of the BJP winning candidates had declared cases against themselves. The Bihar polls were the first general elections to be held after the Supreme Court in February directed political parties to publish details of why they selected a candidate with criminal antecedents. *The ADR report also found that 81% of the newly elected MLAs had declared assets over ₹1 crore, an increase from 67% of the members elected in 2015.*

BACK TO THE HOUSE

By-elections do not necessarily generate the same buzz as Assembly elections in India. After all, they are typically held to replace incumbents who might have moved on to other public roles or are deceased or incapacitated, preventing them from representing their constituencies. This lack of enthusiasm has generally rendered bypolls as contests where the ruling party in a State is hugely favoured. There is little desire by voters to upset the apple cart. More so in States where the politics of patronage influences voter decisions, voting the representative of the party in power can be understood as a rational choice. It is therefore not surprising that the BJP and other ruling parties have won a large majority of the Assembly bypolls — their results were announced. Yet, the story in Madhya Pradesh had an additional wrinkle. *The 28 seats were keenly contested because these had elected Congress MLAs in 2018* and the vacancies arose on their defection to the BJP in an event orchestrated by senior leader Jyotiraditya Scindia. The defections had shifted the government to the BJP within months of the Assembly elections. *The BJP's wins, in 19 seats,* were made possible by Mr. Scindia's clout in the Gwalior-Chambal belt besides the BJP's added strength. The Congress can take some solace in the fact it could wrest back nine seats lost to defection. But with these wins, *the BJP has won an absolute majority and secured its government.*

A defection of a significant number of MLAs elected on one ticket and then overturning governments is bad advertisement for governance in India. These events were once common in smaller State Assemblies but have *occurred in two large States, Karnataka and Madhya Pradesh,* recently. Here, the defectors have returned to the Assembly via the bypolls, a fact that *could raise the question whether voters are concerned about defections as a moral issue.* One charitable reason for this preference could be that voters might not want yet another churning and instability, in turn helping defectors retain their seats. *The other reason could be that legislators in States such as M.P. and Karnataka have been chosen to represent parties less due to ideological or principled positions and more for abilities to run electoral campaigns and make use of social equations in their respective seats.* So, it could be understood that voters have found little differentiation in representation from



ruling and Opposition parties even in the aftermath of defections. As required by the anti-defection law, the defectors returned to voters for a fresh mandate, and many obtained it too. Clearly, *defections cannot just be done away with through legislative action unless they are seen as immoral by voters as well.*

WHY JHARKHAND IS SEEKING A SEPARATE RELIGIOUS CODE FOR SARNA TRIBALS

The Jharkhand government convened a special session and passed a resolution to send the Centre a letter to recognise Sarna religion and include it as a separate code in the Census of 2021. For the last many years several protests and meetings have been held by various tribal groups in Jharkhand and elsewhere pushing the same demand. Last February, then Jharkhand chief minister Raghubar Das too had announced in the Assembly a move to recommend Sarna as a separate religious code. However, the JMM-led Soren government has finally gone ahead and done it.

What is the Sarna religion?

The followers of Sarna faith believe pray to nature. The holy grail of the faith is "Jal, Jungle, Zameen" and its followers pray to the trees and hills while believing in protecting the forest areas. Jharkhand has 32 tribal groups of which eight are from Particularly Vulnerable Tribal Groups. While many follow Hindu religion, some have converted to Christianity — this has become one of the planks of demanding a separate code "to save religious identity"— as various tribal organisations put it. It is believed that 50 lakhs tribal in the entire country put their religion as 'Sarna' in the 2011 census, although it was not a code.

What has been the politics around it?

Many of the tribals who follow this faith have later converted to Christianity—*the state has more than 4% Christians most of whom are tribals. Some who still follow the Sarna faith believe the converted tribals are taking the benefits of reservation as a minority as well as the benefits given to Schedule Tribes. They also believe that benefits should be given specifically to them and not those who have converted. The issue reached a crescendo in May 2013 when a statue was installed in Singhpur on the outskirts of Ranch showing Mother Mary in a white saree with a red border, her hair in a bun, bangles around her wrists and carrying infant Jesus on a sling like a tribal women. Followers and leaders of Sarna faith saw it as a 'tactic' to convert tribals into Christianity. In 2017, state BJP too passed an anti-conversion law deepening the divide between them.*

What has the state government said in its letter?

The letter sent by the Principal Secretary to the Chief Minister says the population of tribals in the state had declined from the 38.3 per cent in 1931 to 26.02 per cent in 2011. It cited that one of the reasons for this was tribals who go for work in different states not being recorded in the Census. In other states, they are not counted as Tribals, the letter said. It added that the separate code will ensure recording of their population. The letters also said that the declining numbers affect the constitutional rights given to them and how the rights will be bestowed upon the Adivasis under 5th Schedule of the Constitution.

What sense does a separate code make?

The protection of their language and history is an important aspect with tribals. *Between 1871 and 1951, the tribals had a different code. However, it was changed around 1961-62.* Experts say that



when today the entire world is focusing on reducing pollution and protecting the environment, it is prudent that Sarna becomes a religious code as the soul of this religion is to protect nature and the environment.

KERALA GOLD CASE: ROW OVER 'LEAKED' AUDIO

A 'leaked' audio recording of an accusatory mobile phone conversation, purportedly between gold smuggling case accused Swapna Suresh and an anonymous person, has kicked up a row. The audio appears to suggest that the Enforcement Directorate had attempted to coerce Swapna into giving a statement implicating Kerala Chief Minister Pinarayi Vijayan in her questionable financial transactions with persons in the UAE. Swapna is currently a COFEPOSA detainee at the Attakulangara Women's Prison here.

Quid pro quo deal

The recording that surfaced on Wednesday hinted that the ED had invited Swapna to turn approver. However, the rider to the deal was that she should depose against Mr. Vijayan and his former Principal Secretary M. Sivasankar and accuse them of wrongdoing. The conversation also implied that the ED had doctored Swapna's statement. *The ED allegedly did not allow Swapna to read her account of events and its agents asked her to sign what they had written down after questioning.* The theme of the voice clip seemed to echo *the Left Democratic Front's contention that the ED wanted to foist a case on Mr. Vijayan to destabilise the government and rob it of its mandate.* Former Principal Secretary to the Chief Minister Sivasankar had said in a court filing that the ED had arrested him on money-laundering charges because he had defied the agency's diktat to implicate Mr. Vijayan in the case. The CPI(M) State secretariat said the statements of the accused pointed to a deep-rooted conspiracy to target Mr. Vijayan. Alleging that the Central agencies had offered inducements to the suspects to depose against Mr. Vijayan, the party said a court in Kochi had also doubted the grounds for the arrest of Sivasankar. The BJP and the United Democratic Front were behind the plot to destabilise the government, the CPI(M) said, adding that it would build a wall of popular resistance against the move to rob the government of its mandate.

Oppn. response

However, Minister of State for External Affairs V. Muraleedharan said the 'leaked' audiotape was a bid by Mr. Vijayan's office to whitewash the 'sleazy' record of the government and play the victim ahead of the local body polls. "The tape is an afterthought aimed to benefit the CPI(M) politically," he said. Kerala Pradesh Congress Committee president Mullappally Ramachandran said Mr. Vijayan's media advisers had scripted the 'drama' to divert public attention from multiple scandals that have beset the government. Leader of the Opposition Ramesh Chennithala demanded an inquiry into the matter.

NEET QUOTA IN T.N.

On October 30, *the Tamil Nadu (T.N.) Governor gave his assent to a Bill that sought to reserve 7.5% seats in undergraduate medical admissions for government-school students who qualified NEET.* The Tamil Nadu Assembly had passed a Bill on the quota in September this year.



Why was Tamil Nadu opposed to NEET?

Among the States that were strident in their opposition to NEET (National Eligibility-cum-Entrance Test) was Tamil Nadu. The opposition was manifest in protests on the streets and in the corridors of justice. One of the primary arguments that were made was that NEET would push certain categories of students out of the race for MBBS degrees, and its goal of providing equitable opportunities for all would be frustrated. Students from government schools and rural areas would not be able to afford the coaching that would be essential for the competitive test, the State government argued. The State wanted to continue its own criteria for entry of students from government schools and rural areas into medical colleges — candidates were being accommodated with a computed aggregate score of relevant subjects in the Class XII examination. Since 2017, *when NEET was implemented in Tamil Nadu, only 14 students from government schools have managed to get admitted to the MBBS course.*

What did the State do?

The inevitability of using NEET to select candidates for MBBS seats led critics to point to unique disadvantages for students from government schools, and seek redress on this front. The government ran free coaching centres for NEET to help students prepare for the examination. In 2018-2019 and 2019-2020, of the nearly 700 government-school students who cleared the NEET, nine entered government medical colleges, according to data provided by Tamil Nadu health authorities. In 2017, the Centre granted exemption to the State to admit students under the State quota (SQ) based on marks in Class XII. But self-financing colleges had to admit on the basis of NEET scores, and three students from government schools got admission into private medical colleges that year. Clearly, some form of affirmative action was required to increase these numbers, the government reasoned. In mid-September, the Assembly passed a Bill that sought to provide 7.5% horizontal reservation for government-school students in MBBS admissions, *based on the recommendations of a Commission headed by retired High Court judge P. Kalaiyaran, to set right the “de facto inequalities” between government-school students and private-school students. The Commission, in its report, made the observation that students from government schools are placed at a disadvantage, compared to their counterparts in private schools, “due to a cognitive gap created by socio-economic factors such as caste, wealth, parental occupation, parental education, gender, etc., and these psychological and socio-economic barriers cannot be bridged by a few months of intensive coaching for NEET, even if provided for free”.* It recommended setting aside 10% seats for government students.

Who will benefit?

The government, however, chose to go with 7.5%. Students, who studied in government schools from Class VI onwards, including corporation schools, municipal schools, Adi Dravida and tribal welfare schools, Kallar reclamation schools, forest department schools and those managed by government departments, and have qualified the NEET, would benefit. An intervention was made to include students from government-aided schools too, but that has not been factored in yet. The Bill was passed unanimously, and forwarded to Governor Banwarilal Purohit for his assent.

How many seats will students from government schools be eligible for this admission season?

In the MBBS course in government medical colleges, 15% seats are set aside under the All India Quota, and the remaining 85% will be available for the SQ, to be filled up according to the rule of



reservation. A further percentage of seats (65% in private self-financing colleges, and 50% in private, self-financing minority colleges) will also be added to the government's quota. This year, it adds up to a total of 4,058 seats, and 7.5% of that comes to 304 seats, according to State health authorities. Where 14 students were admitted in three years, 304 students from government schools will have the opportunity to take up medical education, provided they have cleared NEET, in Tamil Nadu. *Horizontal reservations are applied irrespective of the community a student belongs to, just as in the case of quota for persons with disability or wards of ex-service personnel.* The government also specified that if a government-school student has scored high marks, she or he could also opt to be allotted a seat based on their community reservation. State Health secretary, J. Radhakrishnan, reiterated that the integrity of the 69% caste-based reservation for medical admissions would be preserved while admitting students to ensure that it is not violated in any manner.

GETTING MGNREGS WAGES HARDER THAN THE LABOUR

For most rural workers dependent on the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), their labour does not end at the work site. According to a study by LibTech India released on Wednesday, many of them are forced to make multiple trips to the bank, adding travel costs and income losses, and face repeated rejections of payment, biometric errors and wrong information, just to get their hands on their wages. For example, take a worker in Jharkhand who puts in a week of hard labour to earn ₹1,026 which the government credits directly into her bank account. The study found that almost 40% of the workers must make multiple trips to the bank branch to withdraw their money. It costs an average of ₹53 a trip, and as the branch is usually at the block headquarters a significant distance from her home village, and the time spent at the bank is three to four hours, a worker will also lose the day's wages while she attempts to withdraw her money. Paying ₹100 for travel for two trips, plus ₹342 for lost wages, plus about ₹25 for food, the worker may spend ₹392, effectively shelling out a third of her weekly wage just to withdraw it.

Pandemic blues

"Even in regular times, these last mile challenges make it hard for workers to access their own wages in a timely manner. *During the COVID-19 pandemic, the situation is exacerbated as transport becomes harder,* and there is no question of physical distancing at a rural bank," says LibTech researcher Sakina Dhorajiwala, who is one of the lead authors of the report. *The study, based on a 2018-19 survey of almost 2,000 workers in Jharkhand, Andhra Pradesh and Rajasthan, was sponsored by a research grant from Azim Premji University.* "In the two years since we did the survey, there has been little change in the number of bank branches per capita in rural areas, so most of these challenges remain. There is only one branch per 20 gram panchayats," she said. The study found that *only one in 10 workers get an SMS message that their wages have been credited. A third of workers must visit the bank branch just to find out whether their wages have been credited. Another quarter of respondents said despite being informed that their wages had been credited, they found that the money was not in the accounts.*

FASTAGS MANDATORY FROM JANUARY: HOW DO I GET ONE, HOW MUCH DOES IT COST?

From January, FASTag, India's electronic toll collection chip for national highways, is going to be mandatory for all vehicles. The government is keen on moving to a system wherein 100 per cent of the toll collected are through FASTag and no cash handling at toll plazas. Already, over 80 per



cent of all toll collected across national highways is through FASTag. Therefore, not having a FASTag installed in your vehicle may prove to be very inconvenient while driving on national highways. In fact toll collection has reached around Rs 93 crore per day, inching towards the Rs 100-crore per day mark.

What is FASTag?

It is a sticker or a tag usually pasted on the windscreen of the car. The device uses Radio Frequency Identification (RFID) technology to communicate with scanner installed at toll plazas. Once the car crosses the toll plaza the requisite toll amount is automatically deducted from a bank account or a prepaid wallet linked to the FASTag. Vehicles can drive through plazas without stopping. If the tag is linked to a prepaid account like a wallet, or a debit/credit card, then owners need to recharge/top up the tag. If it is linked to a savings account, then the money will get deducted automatically after the balance goes below a pre-defined threshold. Once a vehicle crosses the toll, the owner gets an SMS alert on the deduction. The alert is like money getting debited from accounts or wallets.

How do I get a FASTag?

They are available online on all major retail platforms like Amazon, Paytm, Snapdeal etc. They are also available at points of sale locations set up by 23 banks. The list includes all major banks. Road Transport Authority offices also sell these tags. The government is expanding the network to cover dealers, agents, fuel stations, commercial centres et al so that access to a FASTag is not a problem. The National Highways Authority of India (NHAI) through its subsidiary Indian Highway Management Company Limited (IHMCL) sells and operates FASTag. *FASTag taken from one bank cannot be used with the account of another bank.* So users prefer buying FASTag from the bank in which they have their bank accounts. Besides, *NHAI sells bank-neutral FASTags issued by the IHMCL online which are not linked to any bank and the user is free to choose his mode of payment to be linked to the FASTag account.* This type of FASTag is currently the most popular. There are around 20 million FASTag users. There are an estimated 50 million vehicles in India. The number of FASTag users has grown 400 per cent in a year. In December last year it was not even one crore.

How much does it cost and what about validity?

Banks are allowed to charge up to Rs 200 for issuing the tag including all taxes, according to the IHMCL. A security deposit, usually around Rs 200 for most cars (it depends on the vehicle type) is also charged. Then there is a minimum recharge amount, usually Rs 100, to keep the tag active. That apart, individual banks may charge additional transaction fee for every recharge. It is best to check out bank's or prepaid wallet's websites to see how much they are charging. The security deposit currently cannot be used to pay toll. There is a thinking in the establishment if this security deposit can also be used as toll but it is not yet final. FASTag is valid forever as long as the tag can be read by the scanner. *FASTag is specific to vehicles and not persons.*

Which highways accept FASTag?

All the 615-odd toll plazas of NHAI and in addition 100 toll plazas of state highways have adopted FASTags for toll collection. The number will increase gradually.



How to operate FASTag account, like recharge, top up etc?

The IHMCL has My FASTag mobile app (Android and iOS) which can be linked to the FASTag. Every FASTag has a unique number. Banks have their own web-based mechanisms. It is like operating any other prepaid e-wallet.

What will happen if you enter a FASTag lane without having a FASTag by mistake?

Ideally the highway marshals should not allow you to enter a FASTag lane. But *in the event that you find yourself in a FASTag lane, double the toll amount is to be paid. Even if your FASTag is not functional due to some damage to the RFID or it does not have enough balance, you are liable to pay double the toll amount.* There is a thinking among policymakers to rope in a system with banks wherein in such cases the user can pay cash and the tag is recharged through a payment gateway (like Bharat Bill Payment System) on the spot. But that is still at a planning stage.

Do you need FASTag even if you do not take your car to the highways?

Ideally yes, *because from April this year, the government has sought to make FASTag mandatory for third-party insurance, which is a minimum insurance cover mandatory for all cars.* Besides, to incentivise adoption, the government is planning to integrate FASTag for payments at wayside utilities at highways, parking lots etc. So that the tag becomes a multi-utility payment tool.

What documents do I need to get/activate a FASTag?

Copy of your valid driver's license (as address proof and photo ID), the registration certificate of the vehicle. Banks require KYC documents, like Aadhaar or passport or PAN.

What if I am in the toll-exemption/concession category?

If you reside within 10 km of the toll plaza, you need to submit residence proof to get a FASTag and avail of concession.

How to resolve complaints about FASTag?

The all-India helpline number operated by NHAI is 1033. Generally complaint redressal is fast when it pertains to NHAI's FASTags. However, for FASTags issued by banks, customers are redirected to bank's customer care and complaints take more time to get resolved. To solve this, the government is considering integrating the helpline some way so that a complaint generates a "ticket" and is passed on to the bank and the issue is resolved without the customer having to chase the complaint. Mostly complaints are about damaged RFID, low balance, recharge queries, and such technical glitches as deduction SMS arriving late etc.

A 10 KILOMETRE SWIM ACROSS A CANAL, HANDS AND LEGS BOUND

Ratheesh was first called 'Dolphin' when he tried to emulate the swimming style of the marine mammal, propelling himself forward in water with his hands and legs tied. The world of adventure sports was not quite accessible to the boy from a fisher family in Alappad. The 38-year-old's nearly-two-decade-long efforts bore fruit on Wednesday when he crossed the 10-km stretch across Thiruvananthapuram-Shoranur Canal in an attempt to set a Guinness World Record. It took him five hours and 10 minutes to complete the challenge. "The current record holder is Gopal



Kharvi, another Indian and it is for 3.7 km,” he says. Ratheesh, who currently works as a life guard on Kollam beach, has been training in the Arabian Sea since 2002. He organised his first adventure event in 2002, jumping from the 50-foot-high Neendakara bridge to the estuary and swimming 500 metres with his hands and legs bound. A year later, he swam for 1 km in the Ashtamudi lake with his body wrapped in a sack. “My idea is to make Kerala a State with zero drownings,” says the swimming instructor. Ratheesh, who has many records, including Limca Book of Records and Arabian Book of World Records in his kitty, says his next aim is to cross English Channel, considered one of the toughest tasks by adventure swimmers.

SOUMITRA’S WORLD (DHRITIMAN CHATERJI - ACTOR)

In the passing of Soumitra Chatterjee, Bengal has lost one more, perhaps the last, representative of its Renaissance generation. Chatterjee’s work as an actor was primarily limited to Bangla cinema and theatre as he was never really interested in venturing forth to Bombay, but his acclaim was universal. This was largely due to his association with Satyajit Ray, which gave his work international exposure. Chatterjee had studied Bengali literature in college and had been an announcer in All India Radio but his life changed when Ray cast him in *Apur Sansar*.

The Master and Apu

Despite the difference in their ages (Ray was born in 1921, Chatterjee in 1935), they shared a cultural and intellectual connection; they were both Renaissance men with varied interests. Whenever Ray cast Chatterjee, he was confident that the latter would be familiar with the literary background of the story, and that he would understand the larger cultural and sociopolitical context of the film. Their relationship was not just of a filmmaker and an actor. As Chatterjee always said, it was much more than that — Ray was Chatterjee’s intellectual mentor. There was a deep cultural affinity which led to a close working relationship over many films spanning many years. Ray had primarily two ways of working with actors. One involved directing them even when the shot was on, down to the last detail: looks, gestures, dialogue delivery and so on. The other method involved letting the actor go the way he or she wanted to shape the role based on the initial reading of the script, including changing the dialogue slightly if required. This invariably happened with Chatterjee, who got great latitude from not only Ray but also other good directors with whom he worked. He was always honest and dedicated to his craft, and well prepared before he came to the set. During the shooting of *Ganashatru*, a film in which I worked with Chatterjee in 1990, the long association that he shared with Ray allowed him to internalise the character. He would merge his personality and body language with that of the role innately. *Ganashatru* anticipated the unfortunate turn of events in India since the 1990s. Ray, after suffering for a long time with personal illness, was perturbed by the rise in irrationality and intolerance during the period and that was one of the reasons why he made the film, which was an adaptation of Henrik Ibsen’s play, ‘An Enemy of the People’. Chatterjee played the character of a doctor who is branded a “public enemy” by local administrators for trying to temporarily close a famous temple which distributes holy water and for correctly identifying it as the source of a bacterial epidemic in the small town where the story is situated.

A public intellectual

The character shared the same beliefs on tolerance and rationality as Chatterjee himself. He was as much a public intellectual who took strong political positions as he was an accomplished actor,



exemplified fairly recently in his forthright views during the anti-Citizenship (Amendment) Act/National Register of Citizens protests last year. He was unequivocally a man of the Left like a lot of people of his generation (the post-Ray, Mrinal Sen, Shyam Benegal, Ritwik Ghatak generation). He had a clear social and political conscience and he never fought shy of expressing his political beliefs even if he was not an out-and-out activist. Being a well-known actor was just one part of his persona. Just as Ray would have been known as an accomplished calligrapher, illustrator, writer and musician if he had not made films, Chatterjee would have been known as a playwright, poet, and writer, among other things, if he had not been an actor. Despite his versatility and intellectual depth, his feet were always on the ground and he was a level-headed person without any airs or frills. Chatterjee's death has come at a time when there is a crisis of conscience almost everywhere, with the rise of intolerance, communalism and aggressive nationalism. But these are ebbs and flows which are always a part of social dialectics. Chatterjee unfailingly gave his wholehearted support to building a progressive consciousness. It is for the younger generation to take this spirit forward. There is a Society that does valuable work to preserve Ray's legacy by collecting, protecting and disseminating his work. It would be worthwhile to do something similar in Chatterjee's memory, so that his films, plays and other work find a permanent home, for future generations to cherish and learn from. That would be the best tribute to the man who will forever be etched in our memory as the protagonist of Apur Sansar.

ARUNACHAL RECORDS BEST SEX RATIO, MANIPUR THE WORST

Arunachal Pradesh recorded the best sex ratio in the country, while Manipur recorded the worst, according to the 2018 report on "Vital statistics of India based on the Civil Registration System" published by the Registrar-General of India. Sex ratio at birth is the number of females born per 1,000 males. Arunachal Pradesh recorded 1,084 females born per thousand males, followed by Nagaland (965) Mizoram (964), Kerala (963) and Karnataka (957). The worst was reported in Manipur (757) Lakshadweep (839) and Daman & Diu (877), Punjab (896) and Gujarat (897). Delhi recorded a sex ratio of 929, Haryana 914 and Jammu and Kashmir 952.

Six absentees

The ratio was determined on the basis of data provided by 30 States and Union Territories as the "requisite information from six States namely Bihar, Jharkhand, Maharashtra, Sikkim, Uttar Pradesh and West Bengal is not available", the report said. The number of registered births increased to 2.33 crore in 2018 from 2.21 crore registered births the previous year. "The level of registration of births has increased to 89.3% in 2018 from 81.3% in 2009," the report said. *The prescribed time limit for registration of birth or death is 21 days. Some States, however, register the births and deaths even after a year.* World Toilet Day 2020, and the state of sanitation in India

The United Nations marks November 19 annually as World Toilet Day to raise awareness about access to hygienic toilets and the human costs of unsafe sanitation. "World Toilet Day celebrates toilets and raises awareness of the 4.2 billion people living without access to safely managed sanitation and is about taking action to tackle the global sanitation crisis and achieve Sustainable Development Goal 6: water and sanitation for all by 2030," the UN website says.



WORLD TOILET DAY 2020

The annual event was adopted by the UN in 2013. *This year, World Toilet Day focuses on sustainable sanitation and climate change.* As per UN Water, sustainable sanitation begins with a toilet that effectively captures human waste in a safe, accessible and dignified setting, which then gets stored in a tank, which can be emptied later by a collection service, or transported away by pipework. The next stage is treatment and safe disposal. Safe reuse of human waste helps save water, reduces and captures greenhouse gas emissions for energy production, and can provide agriculture with a reliable source of water and nutrients. According to UN figures, open defecation leads to the deaths of 1,000 children every day globally from diarrhoea related to poor sanitation and contaminated water sources. Safe sanitation, water supply and better hygiene can save the lives of 3.5 lakh children in a year. According to the website "Our World in Data", part of Oxford University, "an estimated 775,000 people died prematurely as a result of poor sanitation in 2017. "This was 1.4% of global deaths. In low-income countries, it accounts for 5% of deaths," it states.

COMMUNITY CORD BLOOD BANKING SAVES CHILD WITH APLASTIC ANAEMIA

Community Cord Blood Banking, a stem cell banking initiative introduced by LifeCell in 2017, has helped save the life of a seven-year-old girl from Nashik in Maharashtra who was suffering from aplastic anaemia. A team of senior doctors from LOTUS Institute of Haematology, Oncology and Bone Marrow Transplantation, recently conducted India's first dual cord blood transplant through an unrelated donor. The transplant was challenging because no apt bone marrow donors were available and the cost of retrieval of matching units from public cord blood banks would have been high. The girl's parents placed a request for two matching cord blood units after the child's sibling was found to be only a 50% (4/8) match. Two high-quality matches (7/8) were found in the registry, which fulfilled the requirement for umbilical cord blood transplantation. The parents could withdraw the matched units at no extra expense, which would have cost around ₹45 lakh per unit. *While stem cells from the umbilical cord blood can be procured from global public banks, the probability of finding a match for a patient of Indian origin is less than 10% because of the low inventory of available units plus the big issue of donor dropouts.* Mayur Abhaya, MD, LifeCell International said, "Luckily, since the family was a part of LifeCell's community banking programme, they could gain quick, free access to the huge inventory of over 50,000 qualified units, which provides greater than 97% probability of finding a match." *In majority of blood-related disorders, patients' own stem cells are not suitable. Hence, the best donor is a close family member. However, in this case, there was only a 50% match with the sibling, thus needing a match from an unrelated donor, LifeCell said in a statement.* While a regular stem cell transplant requires a dose of 25 million cells per kg of the patient's weight, for aplastic anaemia, the recommended minimum dose is 40 million cells per kg, which is not easy to find. "The community banking model made it possible and the child received a timely transplant. Just 18 days after the transplant, white blood cells were completely engrafted, and platelets and red blood cell production also increased drastically," the statement added.

IN NEW FILM 'LUDO', RECALL OF AN ANCIENT, POPULAR GAME THAT THE PANDEMIC REVIVED SHARPLY

A newly released Hindi film, titled Ludo, premiered on Netflix this week. The film, directed by Anurag Basu, is a comedy around the popular board game. Members of the cast, including Pankaj



Tripathi, Abhishek Bachchan, Rajkummar Rao, Aditya Roy Kapur, and Fatima Sana Sheikh, get into a variety of situations in which they cross each other's paths, rather like the tokens in ludo. One character says: "Life is ludo, and ludo is life."

Patented Glory

The game as we see it today, can be credited to *Alfred Collier who patented it in England as ludo, which forbade replicas of the game and its paraphernalia.* Old Collier ludo boards are now collectors' items.

Story in History

The earliest verified version of the game, which was called Pacheesi can be found in the cave painting of Ellora. There are references in the Mahabharata to Pacheesi, which was played with cowrie shells; 25 was the highest score you could get from the throw. In the well known Mahabharata incident, the Pandavas were challenged to a game of Pacheesi by the Kauravas, who used the special 'cursed' set of dice made by Shakuni, which could never lose a hand. Yudhisthir ended up gambling away his kingdom, his brothers, and finally put Draupadi up for grabs. Later, when the Pandavas were in anonymous exile, Yudhisthir adopted the identity of Kank, and played dice with the king of Matsya.

Mughal Version

Emperor Akbar enjoyed the game, and the courtyard of his palace at Fatehpur Sikri had red and white squares. Women from the harem would dress up in colours of the patron, and move around as the roll of the dice dictated. Abul Fazl, Akbar's grand vizier and his court historian, wrote that "From times of old, the people of Hindustan have been fond of this game", and that Chaupar/Pacheesi was popular with the masses.

Western Versions

Most western versions such as ludo are considered to have been inspired by versions of the ancient Pacheesi. A similar board game was played in China during the reign of the Wei dynasty c.250 AD. In the Levant, a game called Barjis was popular, and in Morocco and Spain, a version called Parchis was played. The Swedish board game is called Fia; the Swiss version, Eile mit Weile, literally meaning 'Haste makes Pace'. The Colombians play Parques. A Pakistani variant uses a pair of dice, and allows for backward movement of the tokens. The Vietnamese version, C? cá ng?a, is based on the principle of a horse race, and even the tokens are modelled as horse heads. The horse reference is also invoked in the French variant Jeu des petits chevaux or the Game of Little Horses.

Pandemic Popularity

The Covid-19 pandemic, which forced people to stay at home, led to an unprecedented spike in the popularity of ludo and other board games. Catan, formerly known as Settlers of Catan, is hugely popular, along with the old favourites Monopoly, Scrabble, and Game of Life. In India, snakes and ladders — the western variant is chutes and ladders — remains very popular.



MYSTERY OF MEGHALAYA'S GLOWING MUSHROOMS

*A mushroom documentation project in the forests of Northeast India has revealed not only 600 varieties of fungi, but also led to a new discovery: a bioluminescent — or light emitting — variety of mushroom. The new species — named *Roridomyces phyllostachydis* — was first sighted on a wet August night near a stream in Meghalaya's Mawlynnong in East Khasi Hills district and later at Krang Shuri in West Jaintia Hills district. It is now one among the 97 known species of bioluminescent fungi in the world.*

What are bioluminescent fungi and why do they glow?

Bioluminescence is the property of a living organism to produce and emit light. "Animals, plants, fungi and bacteria show bioluminescence," said Samantha Karunarathna, mycologist from the Kunming Institute of Botany, Chinese Academy of Sciences, who was part of the team that discovered the mushroom. "Bioluminescent organisms are usually found in the ocean environments, but they are also found on terrestrial environments. The colour of the light emitted by the organism depends on their chemical properties." In the case of fungi, the luminescence comes from the enzyme, luciferase. *"The [green] light emits when luciferans is catalysed by the enzyme luciferase, in the presence of oxygen. During the chemical reaction, several unstable intermediate products are released as excess energy that makes them visible as light,"* said Karunarathna, who is the lead author of the paper. Rajesh Kumar, a scientist at the Rain Forest Research Institute in Jorhat, Assam said such mushrooms may glow for a number of reasons. *"The simplest explanation could be that bioluminescence attracts insects, which helps in dispersing spores,"* he said. Karunarathna added that it may also be a mechanism for the organism to protect itself from frugivorous (or fruit-eating) animals.

Is the *Roridomyces phyllostachydis* unique in any way?

The researchers said the new species was important because it was the first mushroom in the *Roridomyces* genus to be found in India. However, its uniqueness lay in the fact that it was the only member in its genus to have light emitting from its stipe or stalk. "The beige coloured pileus [cap-like part] is not bioluminescent" said Karunarathna. "Why only the stipe is bioluminescent in this mushroom is still a mystery." The paper described the stipe as "glutinous, slimy and moist". While locals in Meghalaya had refrained from consuming the mushroom as they did not know if it was edible, Karunarathna said they "used it as an alternative to torch light, by collecting bamboo clumps with lots of the fungi in it."

Are there other bioluminescent mushrooms in India?

According to the paper, there are "scattered reports" on bioluminescent fungi from India from the Western Ghats, Eastern Ghats and Kerala. Kumar said there were many in Goa too, located about 50 km from Panjim. "Some regional newspapers have written about bioluminescent fungi but they were not scientifically reported," said Karunarathna, adding that the actual number of bioluminescent fungi in India could be higher. Kumar agreed, adding that there was a need for more scientific documentation. "These can only be spotted at night but rarely do people look for mushrooms at night," he said.



BUSINESS & ECONOMICS

FINANCE PANEL FOR PPPS ON HEALTH INFRA

The 15th Finance Commission has mooted a greater role for public private partnerships to ramp up health infrastructure and scale up public spending on health from 0.95% of the GDP to 2.5% by 2024, N.K. Singh, Chairperson of the panel, said on Wednesday. While public outlays should focus on primary health care at the panchayat and municipality levels, private players should be relied on for specialty healthcare, he said, hinting that the commission has recommended steps to fix the skewed availability of healthcare across India as poorer States have the worst facilities.

National cadre

Mr. Singh recommended substantial improvements in the working conditions for doctors in government hospitals, many of whom are hired on a contract basis by the States, and the creation of an Indian Medical Service cadre as envisaged in the Civil Services Act, 1951.

ROAD BUMPS

The Fifteenth Finance Commission submitted its report with recommendations on the formula for sharing the divisible pool of tax revenues between the Centre and the States for the next five years to the President. The panel's proposed fiscal road map, up to 2025-26, will only come into the public domain once it is tabled in Parliament, if not in the winter session, at least before the Union Budget for 2021-22 is presented. An action taken report would reveal the government's acceptance or rejection of the panel's prescriptions. When the Fourteenth Finance Commission recommended a sharp increase in their take-home cut from 32% to 42% of the divisible pool of revenues and the Centre accepted it, States had obvious cause to be upbeat. However, *their actual shares of total taxes mopped up have turned out to be far lower as the Centre deployed more cesses and surcharges to garner additional revenues in recent years.*

There are fresh reasons for the States to be anxious about the Commission's revenue sharing recommendations, not in the least because of their recent stand-off with the Centre on how their GST compensation dues will be paid this year. *While 22 States have now come on board with a solution conjured up by the Centre, there are still loose ends as more dues pile up over the next two years.* Second, *the Centre had tasked the Commission with assessing a few unusual ideas, including the creation of a non-lapsable fund for defence and security spending and incentivising States for performance on reforms considered desirable by the Centre such as adoption of direct benefits transfer.* Southern States are worried that the use of 2011 population data, instead of 1971, will penalise them for managing population growth better. All these have the potential to impact States' actual share. The RBI's assessment of State finances reveals they were already hurting from the slowing economy. The pandemic and the lockdowns have made things worse. Last year, this Finance panel had tabled an interim report for 2020-21 by saying a five-year forecast is tough when the economy is slowing down due to the effects of reforms like demonetisation and GST. Its final report comes at an even more uncertain time, with the pandemic throwing the global economy into a tailspin. That the panel has dedicated a volume entirely to States, analysing the development needs of each, is heartening. The Centre can allay States' fears further by tabling the report soon so that any anxieties can be debated and laid to rest, and States can also plan upcoming Budgets with less uncertainty. Being receptive to States' concerns can help forge a fresh



cohesive federal compact for the coming years — a double engine that can hasten India's return to high growth.

FINANCE PANEL SUBMITS REPORT WITH SEPARATE SECTION ON STATES' FINANCES

The 15th Finance Commission said it had taken the unique requirements of each State on board and come up with State-specific considerations in its report, which was submitted to President Ram Nath Kovind. *Apart from its main recommendation on devolution of funds between the Centre and the States for the period 2021-22 to 2025-26*, the Commission addressed all its unique terms of reference, such as considering a new non-lapsable fund for financing national security and defence spending and offering performance incentives to the States that deliver on reforms. *Apart from the main report, uniquely titled Finance Commission in Covid Times, the 15th Finance Commission presented two volumes as part of its submissions. The first one focuses on the state of the Centre's finances, with an in-depth scrutiny of the key departments, the medium-term challenges facing the Centre and a road map for the future. The other volume is dedicated to the States, with the finances of each analysed in great depth.* The panel has come up with State-specific considerations to address the key challenges that individual States face, as per a statement issued by the Commission after a meeting with the President. *Commission chairman N.K. Singh was accompanied by members Ajay Narayan Jha, Anoop Singh, Ashok Lahiri and Ramesh Chand for the report's submission to the President.*

THE AMENDED LIQUIDATION REGULATIONS UNDER IBC, AND THE QUESTIONS THEY RAISE

The Insolvency and Bankruptcy Board of India (IBBI) has amended the regulations for liquidation under the Insolvency and Bankruptcy Code (IBC) by which it effectively allowed the liquidator to assign or transfer a "not readily realisable asset" to any person in consultation with the stakeholders' consultation committee.

What are the new regulations announced by the IBBI?

The IBBI has said that in order to ensure quick liquidation of companies which are unable to find bidders under IBC, the liquidator can "assign or transfer a not readily realisable asset" to any person. The said transfer or assignment of the asset must be done in consultation with the stakeholders committee. The IBBI has also said that the definition of "a not readily realisable asset" would include any assets of the corporate debtor, which could not be sold through the available options. Any or all assets of the company under liquidation, which is facing some dispute or is involved in some fraudulent transaction, can be sold by the liquidator. Other than that, the IBBI has also said that financial creditors can, for the purpose of furnishing a record of default, submit their own book which establishes lapse of payment of debt by the corporate debtor. The financial creditors can also attach a copy of any court or tribunal's order which has, through an order, established that the company had defaulted on debt payments. *The insolvency regulator has also amended the regulation to allow certain creditors, who do not want to wait for the liquidation process to be over, to exit the process by assigning or transferring the debt due to them, to other creditors of the company.*



RAISE PRIVATE BANK PROMOTER CAP TO 26%

An Internal Working Group (IWG) of the Reserve Bank of India (RBI) has recommended raising the cap on promoters' stake in private sector banks to 26% in the long run (15 years). The holding is currently mandated at 15% of the paid-up voting equity share capital of the bank. The IWG, set up in June, has also suggested that large corporate or industrial houses be allowed as promoters of banks only after necessary amendments to the Banking Regulation Act, 1949 (to prevent connected lending and exposures between the banks and other financial and non-financial group entities); and strengthening of the supervisory mechanism for large conglomerates, including consolidated supervision. Also, well-run non-banking financial companies (NBFCs), with an asset size of ₹50,000 crore and above, including those owned by a corporate house, may be considered for conversion into banks subject to completion of 10 years of operations, meeting due diligence criteria and compliance with additional specified conditions, the panel said. As regards non-promoter shareholding, it has suggested a uniform cap of 15% of the paid-up voting equity share capital of the bank for all types of shareholders. The IWG was constituted to review the extant ownership guidelines and corporate structure for private sector banks in India. The terms of reference of included review of the eligibility criteria for individuals/ entities to apply for banking license; examination of preferred corporate structure for banks and harmonisation of norms; review of norms for long-term shareholding in banks by the promoters and other shareholders.

Conversion to SFB

The panel also recommended that for Payments Banks intending to convert to a Small Finance Bank (SFB), their track record of three years should be considered sufficient and Small Finance Banks and Payments Banks may be listed within '6 years from the date of reaching net worth equivalent to prevalent entry capital requirement prescribed for universal banks' or '10 years from the date of commencement of operations', whichever is earlier. The IWG also suggested that the minimum initial capital requirement for licensing new banks be enhanced from ₹500 crore to ₹1,000 crore for universal banks, and be raised to ₹300 crore from ₹200 crore for SFBs. It said non-operative financial holding company (NOFHC) should continue to be the preferred structure for all new licenses to be issued for universal banks. However, it should be mandatory only in cases where the individual promoters, promoting entities or converting entities have other group entities, the panel added.

ANOTHER BAILOUT

The RBI's decision to recommend the imposition of a one-month moratorium on Lakshmi Vilas Bank (LVB) and almost simultaneously announce a draft scheme of amalgamation that entails the Indian unit of the Singapore government-controlled DBS Bank taking over the capital-starved private lender marks a welcome intervention by the banking regulator. The well-choreographed move will protect the interests of depositors and employees, while shareholders will see the value of their holdings written off once the merger is operationalised. Coming just about eight months after another flailing private lender, Yes Bank, was rescued by an RBI-orchestrated capital infusion, the Karur-based bank's proposed bailout signals that the regulator is keen to proactively step in to ward off risks to wider financial sector stability. That the LVB had become a candidate for regulatory intervention was evident after its continuous losses, steady erosion of its net worth and inability to raise fresh capital to bolster its balance sheet. Despite being placed under the RBI's Prompt Corrective Action framework in September 2019, the lender's finances deteriorated to the point



where its gross ratio of non-performing assets to advances shot up to 25.4% in March 2020 and the Tier 1 Capital ratio turned a negative 0.88% at the end of that quarter. The capital ratio subsequently worsened to -4.85% by the end of September, tipping the central bank's hand.

Overall banking sector health, however, remains a significant concern notwithstanding this latest rescue effort. On Wednesday, Gita Gopinath, the IMF's chief economist, flagged the wide-ranging damage the COVID-19 pandemic had inflicted on the global economy and warned of deeper legacy scars — more stress on corporate balance sheets and governments burdened with large debt. For all its liquidity bolstering measures since March, the RBI now faces the prospect of having to maintain a heightened vigil over scheduled commercial banks, as well as non-banking financial companies and mortgage lenders, given the threat of contagion from a failure here. *The RBI had in its Financial Stability Report in July pointed out that its stress tests indicated that the gross NPA ratio of commercial banks could worsen to 14.7% by March 2021, from 8.5% a year earlier, if the pandemic's adverse economic impact caused the GDP to contract by 8.9% in the current fiscal. In October, the bank forecast India's GDP would shrink by 9.5% and earlier this month cautioned that "lurking around the corner" was the major risk of stress intensifying among households and firms that could spill over into the financial sector.* The RBI has its task cut out in ensuring it keeps the crucial engine of credit ticking over as the economy strives to revive.

SOCIAL INFRA PPPS ELIGIBLE FOR VIABILITY GAP FUNDING

The government on Wednesday expanded the provision of financial support by means of viability gap funding for public private partnerships (PPPs) in infrastructure projects to include critical social sector investments in sectors such as health, education, water and waste treatment. The Cabinet Committee on Economic Affairs approved the continuation of the scheme for financial support to PPPs in infrastructure that has been in place since 2006, till 2024-25, Finance Minister Nirmala Sitharaman said, stressing that the scheme had been revamped. A total of ₹8,100 crore has been allocated under this programme between 2020-21 and 2024-25, of which ₹2,100 crore will be devoted to social sector projects. "Now, under two new schemes, private sector projects in areas like waste water treatment, solid waste management, health, water supply and education, could get 30% of total project cost from the Centre," she said, adding that States could chip in with another 30%.

GOVT. ROLLS OUT ₹1.19 LAKH CRORE STIMULUS

Finance Minister Nirmala Sitharaman announced a fresh set of relief and stimulus measures for the economy worth ₹1.19 lakh crore, including a scheme to boost re-employment chances of formal sector employees who lost their jobs amid the COVID-19 pandemic. The measures, announced a day after the Reserve Bank of India (RBI) said the country had entered into a technical recession in the first half of 2020-21, include a ₹65,000 crore additional outlay for providing fertilizer subsidies to farmers. Ms. Sitharaman said the economy's rebound as per recent indicators was not just driven by pent-up demand but reflected strong economic growth. Adding that even ratings agency Moody's Investor Service had revised its GDP projections for India upwards. "Even these assessments by agencies indicate that a correction is happening in the positive direction," she said, before unveiling 12 measures that she said may be referred to as Atmanirbhar Bharat Abhiyan 3.0. The measures included the production-linked incentive scheme for 10 sectors with a proposed expenditure of ₹1.46 lakh crore over five years, announced on Wednesday. The other measures add up to a proposed outgo of ₹1,19,100 crore. Experts pegged



the fiscal cost of Thursday's announcement at about 1.2% of the GDP, if the PLI scheme was included. However, the Minister said, "If you take all the packages announced so far, and the RBI measures announced so far, a total of ₹29,87,641 crore has been given so far as stimulus. A total of 15% of GDP. The Central government on its own has provided 9% of GDP as stimulus." Ms. Sitharaman allocated ₹900 crore for research and development towards the COVID-19 vaccine, and said the government was ready to provide for the actual cost of the vaccine and the logistics for its distribution. "Whatever is required for that (the vaccine cost and distribution logistics), as and when it is required, will be provided."

MGNREGA boost

To spur rural employment, *an additional ₹10,000 crore has been provided for spending through the MGNREGS and PM's rural roads scheme.* Effectively, this takes the total allocations for MGNREGA in the year close to ₹1.1 lakh crore, with Ms. Sitharaman stating that ₹73,504 crore had already been spent to generate 251 crore person days of employment. *To boost formal sector employment, a new Atmanirbhar Rozgar Yojana has been launched, under which the government will bear the entire Employees' Provident Fund (EPF) contributions for two years of all new employees hired between October 1, 2020 and June 30, 2021, in firms with fewer than 1,000 employees. The definition of 'new employee' has been kept flexible to include anyone who was part of the EPF net earlier, but had lost their job between March 1 and September 30, 2020. This may help improve such workers' re-employment prospects.* As per the Finance Ministry, this benefit will apply to all such 'new employees' earning monthly wages less than ₹15,000.

EPF contributions

For firms with more than 1,000 employees, the Centre will bear half of the EPF contributions (24% of wages), while for smaller firms, it will bear the entire EPF contribution. To be eligible for the scheme, firms registered with EPFO having more than 50 employees must hire at least five new workers, while those with less than 50 employees must hire a minimum of two workers. "This benefit will get credited upfront in Aadhaar-seeded EPF accounts of eligible new employees. This will cover nearly 99.1% of all establishments and an estimated 65% of all those employed under the formal sector will be covered by this benefit," the Minister said. To boost urban housing and create jobs, *an additional allocation of ₹18,000 crore has been made for the PM Awas Yojana over and above the ₹8,000 crore allotted in the Budget.* Ms. Sitharaman said as many as 78 lakh additional jobs are expected to be generated from this, apart from boosting steel and cement demand significantly.

Sops for home buyers

"We are providing income tax relief for developers and home buyers as there is quite a lot of inventory in the real estate sector. At the moment, on the differential between the circle rate and the agreement value — you get 10% relief. *We have decided to increase the differential from 10% to 20% till June 30, 2021 for only primary sales of residential units of value up to ₹2 crore,*" the Minister said. "We expect a lot of clearance of inventory and people will be able to pay less as the differential gap will be reduced. This will help the middle class which wants to buy when the housing sector is sitting on inventories," she said, adding that amendments will be made to Section 43 CA of the Income Tax Act.



Stressed sectors

While extending a ₹3 lakh-crore emergency credit line guarantee scheme announced earlier for micro, small and medium enterprises till March 31, 2021, the Finance Minister also announced a credit guarantee plan for stressed sectors as well as healthcare. "Entities in 26 stressed sectors identified by the K.V. Kamath Committee, plus healthcare sector with credit outstanding of above ₹50 crore and up to ₹500 crore as on February 29, 2020, would now be able to avail 20% additional credit for a period of five years, with a moratorium of one year on principal repayment," Ms. Sitharaman said. As per the Kamath committee, the stressed sectors include auto components, construction, gems and jewellery, hotel and restaurants, iron and steel, real estate and textiles.

To help 40,000 firms

Soumya Kanti Ghosh, group chief economic adviser, State Bank of India, said the scheme could help as many as 40,000 firms but if the overall amount under the scheme stays at ₹3 lakh crore, that could be a constraining factor. So far, ₹2.05 lakh crore of liquidity has already been sanctioned under the scheme. Separately, to free up working capital for contractors bidding for public projects, the Centre has decided to reduce the performance security payable on individual contracts to 3% from the prevailing 5% to 10% of project value. The earnest money deposit requirement to bid for tenders is also being replaced by a bid security declaration for a period of one year, with the Minister expressing hope this will give them more room to bid for building infrastructure projects.

BHARAT PETROLEUM SELL-OFF: WHY BIDDING HAS BEEN LOW PROFILE

The disinvestment process of Bharat Petroleum Corporation Ltd has moved on to the second phase, with the government having received "multiple" expressions of interest for its 52.98% stake in the country's second largest fuel retailer. We examine the state of the disinvestment process of BPCL, which is a key component of the government's plans to raise Rs 2.1 lakh crore through disinvestment this fiscal.

Who are the interested parties?

Currently, only the Vedanta Group has been confirmed as an interested party. Industry sources however have stated that two private funds have also submitted Expressions of Interest (EoI) for BPCL. Global oil majors British Petroleum, Total, Rosneft, ADNOC and Saudi ARAMCO, who were said to be interested in investing, have not submitted EoIs. Experts noted that *given the low level of participation BPCL was likely to result in a low valuation.*

Why has there been low interest?

Experts say the impact of the Covid-19 pandemic and subsequent crash in global crude oil prices has put a strain on the finances of most global oil majors. The price of crude oil fell sharply as a result of the fall in the demand for petroleum products across the world as countries imposed severe restrictions on travel. *"Due to the Covid-19 outbreak and crash in global oil prices, global oil majors have cut their capex plans in general leading to a lower emphasis on acquisitions.* Major deals which were being anticipated have not happened so interest in new acquisitions is low", said Abhijit Bora, analyst at Sharekhan by BNP Paribas. Planned investments by Saudi ARAMCO into Reliance Industries and the Ratnagiri refinery complex have seen delays.



What is next?

*Experts noted that the government may rope in other public sector undertakings like ONGC and Indian Oil to participate in another round of bidding for BPCL if it doesn't receive a high enough valuation from the current set of interested parties. Under the terms of the current bidding process, PSUs were not been permitted to participate in BPCL's disinvestment process. An expert who did not wish to be quoted said that if a combination of ONGC and IOC acquire the government's stake in BPCL at a higher premium than what is being offered by private sector players, they would likely witness a decline in their share prices. Analysts said **it was not likely that the government would put off the disinvestment process of BPCL because of a lack of interest as it needed the proceeds from the sale to shore up its fiscal deficit.***

WHAT THE FRESH ADANI GROUP OFFER MEANS FOR DHFL BIDDING PROCESS

The Adani Group sprung a surprise last week by announcing it would buy all the assets of debt-laden Dewan Housing Finance Limited (DHFL), for a little over Rs 31,000 crore. The Adani Group's bid is now higher than other offers for the company, which is undergoing a corporate insolvency resolution process (CIRP). It is also likely to force the lenders to call for fresh bids for the company.

What is the case against DHFL?

*On November 29 last year, the Reserve Bank of India (RBI) filed an application for initiation of insolvency against DHFL, which was a non-banking financial company (NBFC). DHFL is the first NBFC to undergo insolvency resolution, which was triggered after reports of funds mismanagement at the company surfaced. Most NBFCs do not have any physical assets so to speak, and the CIRP is initiated under a new resolution framework brought out by the government. **Since the RBI is the regulator for all banking institutions in India, it was also the petitioner which had approached the Mumbai bench of the National Company Law Tribunal (NCLT) for initiation of insolvency against DHFL.** Earlier in 2019, the company had defaulted on the payment of interest on its commercial papers and bonds worth Rs 900 crore. Though the company maintained that the cash crunch was a temporary problem, **most rating agencies downgraded the rating of its commercial papers to 'D', indicating the default status.** This was followed by reports that the promoters of the company, Kapil Wadhawan, the then chairman and managing director, and Dheeraj Wadhawan, then a non-executive director, had transferred funds the company had collected into shell companies, which then re-routed the monies back into the accounts of the Wadhawans.*

What are the bids for DHFL so far?

Up until November 9, which was the last date for submission and revision of offers for DHFL, Piramal Enterprises, the US-based Oaktree, Adani, and Hong Kong-based SC Lowy had submitted bids. In the first round of bidding, Piramal Enterprises offered Rs 15,000 crore for the retail arm of DHFL, while Oaktree had offered to pay Rs 27,800 crore for the entire company. SC Lowy had meanwhile offered Rs 2,300 crore for non-slum redevelopment authority loan book of the company. After the lenders to the company expressed unhappiness over the low bids, all the companies revised their bids significantly. The Adani Group, which was always a bidder in contention, had made an offer of Rs 2,700 crore only for the wholesale and slum redevelopment authority loan book of DHFL. The company later revised its bid and said it would offer a little over Rs 31,000 crore for the entire portfolio of the company.



How does Adani Group bid change things for DHFL's lenders?

With the total liabilities of the DHFL group estimated at over Rs 85,000 crore, lenders to the NBFC are likely to seek bids which maximise the funds they can recover. Since DHFL does not technically have many assets to its name, the lenders would be seeking to recover instead of looking for maximisation of value of the assets, legal experts said. The Adani Group's unsolicited offer for the entire book of the company will force lenders to call for new bids for DHFL. However, this is also likely to face a legal challenge from existing bidders like Piramal Enterprises and Oaktree. Piramal Enterprises has already written to the lenders, objecting to the resolution plan submitted by the Adani Group. *In its letter, the company said that offering a resolution plan after the submission date, which was November 9, was neither in accordance with the provision of the revised request for resolution plan dated 16 September 2016 (RFRP), nor the Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016, (CIRP Regulations). Legal experts, however, believe that the DHFL lenders would be at liberty to call for a fresh round of bidding, which would give time to all the bidders, including the Adani Group, Piramal Enterprises, Oaktree and SC Lowy, to revise their plans and offer more money than they already have.*

HOW BIG IS THE BIGBASKET DATA BREACH?

India's top online grocer BigBasket has suffered a potential data breach resulting in personal information of over 20 million customers being allegedly sold on the dark web. This incident follows a series of data breaches that have impacted Indian companies.

When did the Bigbasket breach happen?

According to cybersecurity firm Cyble, which first made the details of the potential breach public, the alleged breach occurred on October 14. The firm said that it first detected the breach on October 30 and after validating the breach, it disclosed the breach to the Bigbasket management on November 1. The cybersecurity firm made the details of the breach public on November 7.

What BigBasket information has been leaked?

Cyble has claimed that personal information of as many as 20 million users such as full names, email IDs, password hashes (potentially hashed OTPs), pin, contact numbers (mobile and phone), full addresses, date of birth, location, and IP addresses of where users have logged in from have been put up for sale on the dark web for \$40,000.

How to know if your data has been leaked on the dark web?

Cyble has listed a portal <http://www.amibreached.com>, where users can check if their personal information has been leaked on to the dark web.

How has BigBasket responded?

In a statement, the Bengaluru-based firm said it was evaluating the extent of the breach and authenticity of the claim in consultation with cybersecurity experts and was finding "immediate ways to contain it". The company has also filed a complaint with the Cyber Crime Cell in Bengaluru. "The privacy and confidentiality of our customers is our priority and we do not store any financial data including credit card numbers etc., and are confident that this financial data is secure. The



only customer data that we maintain are email ids, phone numbers, order details, and addresses so these are the details that could potentially have been accessed," it said.

What have been the previous cases of data breaches in India?

If one only goes by the information released by Cyble, there have been six cases of cyber breaches in India in the last one month alone. These include incidents at snacks manufacturer Haldiram Snacks Pvt Ltd, Indian wedding planning website Wedmegood, Indian Prime Minister's personal website narendramodi.in, online matrimonial service Bharat Matrimony and Indian Railways' online ticketing portal IRCTC. In addition to this, late last month, pharmaceutical major Dr Reddy's Laboratories witnessed a cyber attack. Cyble, had, in August also reported a data breach at e-commerce company Paytm Mall.



DreamIAS



LIFE & SCIENCE

WHAT IS THE LEONID METEOR SHOWER, WHEN CAN INDIANS BEST WATCH IT?

The Leonid meteor showers are currently making their yearly appearance, and will reach their peak in India on November 17 and 18, according to Norway-based website timeanddate.com. In 2020, these showers are active from November 6th to November 30th. The Leonids emerge from the comet Tempel-Tuttle, which requires 33 years to revolve once around the Sun. These meteors are bright and among the fastest moving—travelling at speeds of 71 km per second. During this year's showers, peaks of around 10 to 15 meteors are expected to be seen every hour. As per a CNN report, the Leonid showers include fireballs—bright and large meteors than can last longer than average meteors, and “earthgazers”—meteors which appear close to the horizon with colourful and long tails. Meteor showers are named after the constellation they appear to be coming from. The Leonids originate from the constellation Leo the Lion—the groups of stars which form a lion's mane.

What is a meteor shower?

On its journey around the Sun, the Earth passes through large swathes of cosmic debris. The debris is essentially the remnants of comets — great frigid chunks of matter that leave behind dirty trails of rocks and ice that linger long after the comets themselves have passed. As the Earth wades through this cloud of comet waste, the bits of debris create what appears from the ground to be a fireworks display in the sky — known as a meteor shower. Several meteor showers can be seen around the year. According to NASA, *over 30 meteor showers occur annually and are observable from the Earth.* For instance, the Perseid meteor shower occurs every year in August and was first observed over 2,000 years ago. According to the International Meteor Organisation, the showers that are currently active are the Southern Taurids, the Northern Taurids and the Leonids. The remaining months of 2020 will have the Geminids (from December 4-20, peaking around December 13-14), and the Ursids (from December 17-26, peaking around December 21-22).

What is the best way to see a meteor shower?

Meteors are best seen on a cloudless night, when the entire sky is visible, and when the Moon is not extremely bright. Chances of a successful viewing are higher from locations far away from the lights of cities. Luckily for star gazers this year, the Leonids will peak when the moon would be less than 5 per cent full. *The showers peak when the Earth passes through the densest part of the debris cloud.* Peaks can last for a few hours or several nights. They tend to be most visible after midnight and before dawn. The showers should be seen with naked eyes; binoculars and telescopes narrow the field of vision. The Leonids will be most visible in the Northern Hemisphere, but can also be seen from the Southern Hemisphere. India lies in the Northern Hemisphere.

WHAT MAKES THE SPACEX-NASA CREW-1 MISSION LAUNCH SIGNIFICANT?

As part of NASA's first commercial human spacecraft system in history, a crew of four astronauts is now en route to the International Space Station (ISS) on a 27-hour flight, onboard SpaceX's Crew Dragon spacecraft called Resilience. The mission was to launch on November 14 initially, but was impeded by unfavourable weather conditions. Crew-1 is the first operational flight of the SpaceX Crew Dragon spacecraft on a Falcon 9 rocket to the ISS and is also the first of the three such flights scheduled over the course of 2020-21.



What is the Crew-1 mission?

It is the first of six crewed missions that NASA and SpaceX will operate as part of the Commercial Crew Program, whose objective is to make access to space easier in terms of its cost, so that cargo and crew can be easily transported to and from the ISS, enabling greater scientific research. The programme is a way to reduce the cost of going to space for agencies such as NASA and also makes it possible for any individual to buy a ticket on a commercial rocket. Therefore, *the launch is being seen as the beginning of a new era in space travel.* "This partnership is changing the arc of human spaceflight history by opening access to low-Earth orbit and the International Space Station to more people, more science, and more commercial opportunities," NASA has said. *Boeing and SpaceX were selected by NASA in September 2014 to develop transportation systems meant to transfer crew from the US to the ISS.* "These integrated spacecraft, rockets and associated systems will carry up to four astronauts on NASA missions, maintaining a space station crew of seven to maximise time dedicated to scientific research on the orbiting laboratory," the NASA website says.

Why is the mission significant?

The Crew-1 mission marks many firsts for NASA and SpaceX including it being the first flight of the NASA-certified commercial system, the first international crew of four to launch on an American commercial spacecraft, the first time the space station's long-duration expedition crew size will increase from six to seven crew members, which will add to the crew time available for research and the first time the Federal Aviation Administration has licensed a human orbital spaceflight launch. *While the Crew Dragon spacecraft is capable of staying in orbit for a period of 210 days, it will return in spring 2021, making it the longest human space mission launched from the US. The spacecraft will also deliver over 500 pounds of cargo, science hardware and experiments to the ISS. Once the mission is over, Crew-1 astronauts will board Crew Dragon, which will autonomously undock and depart the space station after which it will re-enter the Earth's atmosphere.*

What will members of Crew-1 do at the ISS?

The goals of the mission are the same as that of Expedition 1 that lifted off 20 years ago. NASA has called both of these ISS missions, "historic". At the ISS, the Crew-1 team will join members of Expedition 64 and conduct microgravity studies. Some of the research that the crew is carrying with themselves includes materials to investigate food physiology, which will study the effects of dietary improvements on immune function and the gut microbiome and how those improvements can help crews adapt to spaceflight. Once in orbit, NASA astronaut Glover will collect samples to provide data to scientists back on Earth so that they can continue to study how dietary changes affect his body. Another experiment aboard the Crew Dragon is a student-designed experiment titled, "Genes in Space-7" that aims to understand how spaceflight affects brain function. Other experiments include research that will enable scientists to understand the physical interactions on liquid, rocks and microorganisms, another experiment on the role of microgravity on human health and how microgravity affects heart tissue.

WHAT IS THE ARIEL SPACE MISSION ADOPTED BY THE EUROPEAN SPACE AGENCY?

The European Space Agency (ESA) has formally adopted Ariel, the explorer that will study the nature, formation and evolution of exoplanets. As of now the existence of more than 4,000 exoplanets is considered confirmed, while there are thousands of other candidate exoplanets that need further



observations to say for certain if they are exoplanets. Proxima Centauri b is the closest exoplanet to Earth and is four light-years away and inhabits the "habitable zone" of its star, which means that it could possibly have liquid water on its surface.

What are exoplanets?

Planets that lie outside of the Solar System and orbit around stars other than the Sun are called exoplanets or extrasolar planets. *Exoplanets are not easy to detect since they are much less brighter than the stars they orbit and hence it is difficult to see them directly using telescopes. As per NASA, only a handful of exoplanets have been found using telescopes and the rest have been detected using indirect methods. One of these methods involves tracking the dimming of a star that happens when a planet passes in front of it. NASA's Kepler Space telescope uses this method to spot thousands of planets.* Other methods to track exoplanets include gravitational lensing and the "wobbling method", which is based on the idea that an orbiting planet will cause its parent star to orbit slightly off-centre.

Why do scientists study exoplanets?

The search for exoplanets is driven by the possibility that life may exist beyond Earth and even if there is no evidence for this, scientists believe that their hunt for an answer will reveal details about where humans came from and where we're headed. In an interview to NASA, Padi Boyd, project scientist for NASA's TESS mission said that, "one of the most profound and thought-provoking questions humanity has ever asked is, "Are we alone in the universe?". She added, "In a way, each new planetary system we discover teaches us a little bit more about how the universe works, and how the Earth, Sun and own planetary system fit into the whole."

So what is the Ariel Space Mission?

Ariel (Atmospheric Remote-sensing Infrared Exoplanet Large-survey), which scientists are planning to launch in 2029, will perform a large-scale survey of over a thousand exoplanets over a period of four years. These thousand exoplanets will range from gas giants to rocky planets, which will help them to compile a list of their compositions and properties thereby providing insights about how planetary systems form and evolve. Ariel is the first mission of its kind dedicated to measuring the chemical composition and thermal structures of hundreds of exoplanets. Further, Ariel will help to answer one of the key questions of ESA's Cosmic Vision Plan, which is, "What are the conditions for planet formation and the emergence of life?". According to the ESA, while a large number of exoplanets have already been discovered, there is no clear link between the presence, size or orbital parameters of the planet and the nature of their parent stars. Therefore, a large-scale survey that Ariel will perform is required to know more about exoplanets and exoplanetary systems.

WHAT DOES FTC SETTLEMENT WITH ZOOM MEAN FOR USERS?

The Federal Trade Commission (FTC) said it had settled with Zoom, the US-based video calling software solutions provider. The FTC had filed a complaint that Zoom had knowingly misled its users about the level of security it used on the video calls.



What is the case against Zoom?

Zoom, a US-based video calling software solution provider came into sudden limelight after lockdowns in various parts of the world forced people to work from home, and opt for video calling solutions to conduct their daily meetings. The company, which had 10 million users in December 2019, saw as many as 300 million users join its platform by April 2020. Earlier this year, the FTC instituted a suo moto probe against Zoom alleging that it had violated several provisions laid down by the agency, such as failure to conduct adequate training programmes on secure software development principles and lack of security audits before updates to the software were released, among others. Among the charges leveled against Zoom is also one wherein the *FTC claimed that though the company offered to store the meetings of its clients on secured cloud servers, these meetings remained on unsecured cloud servers for more than 60 days before they were moved on to secure locations.* The FTC also alleged that *Zoom had lied about having a better 'end-to-end' encryption for its users, whereas in reality the company stored "cryptographic keys", which meant that it could access these meeting anytime it wanted.*

What do the charges against Zoom mean?

One of the first charges brought on against Zoom by FTC is that the company deceptively claimed that it had 'end-to-end' encryption for all its users. End-to-end encryption means other than the hosts and the attendees, no one else would be able to access the details of the meeting or attend it without permission from the host. In its probe, however, the FTC found that *Zoom had lied about providing end-to-end encryption to all users. Any user, which did not use its paid 'Connector' product was not provided with the end-to-end encryption. The data of most of such users were stored on servers based in China.* Furthermore, Zoom also maintained 'cryptographic keys' to these meetings, which meant that the company could access any meeting it wanted to without the host or the attendees of the meeting coming to know about it. *Another grave charge against Zoom is that it bypassed user consent in the case of customers using Apple's operating systems. This meant that Zoom could have been functioning in the background, listening to all the conversations of the user, without the said user ever being alerted about it.* Zoom would also *bypass the user's consent for joining a Zoom meeting and automatically launch the said meeting with video on without the user every clicking to join the said meeting.* This, the FTC said, *could easily have been exploited by malicious actors by the way of a phishing attack.*

What will Zoom have to do now?

As a part of its settlement with the FTC, the company will have to undertake several steps, such as implementing a comprehensive information security program for all its employees, and document the same in writing. The company will also document any security incidents that happen within 12 days of the incident happening and keep a documentation on what data was stolen, how did the information get leaked and others. Zoom must also conduct a quarterly security audit review of its networks and systems and agree to "biennial assessments" of the new security programme that it implements by an independent FTC approved third party auditor.

How does it impact India?

Like the world, many organisations and institutions had shifted to Zoom meetings after a nationwide lockdown was announced in March. Soon after a large number of Indian users joined the platform, several meetings began to be hacked or interrupted. Following this, the Ministry of



Home Affairs issued a directive that the meeting of the ministries must not be conducted on Zoom due to the various security vulnerabilities. Though the conditions imposed by FTC will be applicable on the company's operations worldwide, it will also be pertinent for Indian regulators to seek a status report from Zoom on its domestic operations and see whether any data was unknowingly kept stored on Chinese servers without the permission of the users, experts said.

'LOCKDOWN' IS COLLINS DICTIONARY'S WORD OF THE YEAR: A HISTORY OF LOCKDOWNS BEFORE COVID-19

Defining it as "a security measure in which those inside a building or area are required to remain confined in it for a time" and "the imposition of stringent restrictions on travel, social interaction, and access to public spaces", Collins Dictionary has declared "lockdown" as the word of the year, given the rise in the usage of the term in a pandemic-ridden world.

Lockdown 2020

The declaration of COVID-19 as a pandemic by the World Health Organisation (WHO) on March 11 set into motion global restrictions on movement, congregations and travel. *China, where the SARS-CoV2 virus first made its appearance, was the first country to enforce lockdown and quarantine measures as early as January.* After WHO's declaration, *Italy, Albania, Bulgaria, El Salvador, Iran, Mongolia and Poland were among the first to declare a lockdown to contain the deadly virus.* In India, a nationwide lockdown was announced on March 24 and continued till the end of May. Phased relaxations to lockdown protocols began from June 1.

WHAT IS THE ATLANTIC OCEAN'S LARGEST PROTECTED MARINE RESERVE?



The isolated UK Overseas Territory of Tristan da Cunha, which is home to the world's most remote human settlement, declared the largest fully protected marine reserves in the Atlantic Ocean at 687,000 square kilometres. This will close over 90 percent of their waters to harmful activities such as bottom-trawling fishing, sand extraction and deep-sea mining.

What is Tristan da Cunha?

Tristan da Cunha, which is inhabited by less than 300 humans is a small chain of islands over 6,000 miles from London in the South Atlantic and the water around the islands are considered to be the richest in the world. The mountainous archipelago Tristan da Cunha is *home to tens of millions of seabirds and several unique land birds that are comparable to the Galapagos island finches,* as per the Royal Society for the Protection of Birds (RSPB), which has been working with the local community and government of Tristan da Cunha. However, *some of its seabirds that are not found anywhere else in the world face threats including illegal and unregulated fishing activities, overfishing, plastic pollution and climate change.* *The National Geographic reported that invasive mice brought to the islands by passing ships kill over 2 million birds a year.* As of now, there are two critically endangered species in the island group and over five endangered species. *The island group is also home to the World Heritage Site of Gough and Inaccessible Islands, which is one of the most important seabird islands in the world.* It is located about 2,000 km from the nearest land and as per the RSPB, it takes longer to sail to Tristan da Cunha from Cape Town than it took Apollo 11 to reach the Moon.



What does the announcement mean for the island group?

After joining the UK's Blue Belt Programme, it will become the largest no-take zone in the Atlantic and the fourth largest on the planet. This means fishing, mining and any such activities will not be allowed. The almost 700,000 square kilometres of the Marine Protection Zone (MPZ) is almost three times the size of the UK and will safeguard the future of seventy-gill sharks, yellow-nosed albatrosses and rockhopper penguins. Further, *this development is also supported by the Blue Belt Programme, which provides over 27 million pounds over a period of five years for marine conservation around the UK Overseas Territories and international organisations.* MPZs involve the management of certain natural areas for biodiversity conservation or species protection and are created by delineating zones with permitted and non-permitted areas within that zone. *As per the National Geographic Society's Campaign for Nature Initiative, over 30 percent of the world's oceans need to be protected to allow ecosystems to provide benefits like ample fish stocks.*

BIRD BRAINS CAN HOLD A LOT

How different are the brains of birds from those of mammals?

Ravens recognise themselves in a mirror, and these birds are known to even plan for the future. Studies have shown that pigeons can be taught to recognise English words and learn spellings. Now, another study (Science, September 2020) shows that birds have a more organised brain than previously thought. *The cognitive skills of mammals are related to the cerebral cortex. But birds don't have this cerebral cortex, they have a region called the pallium, and studies on this region have now revealed new information on its architecture.* Using a special technique, the team studied the orientation of individual nerve fibres in the brains of 42 homing pigeons, nine barn owls, a rat, a vervet monkey and one human. They found that the *brains of the birds had an organisation similar to mammalian brains*. The fibres were arranged horizontally and vertically, just like in the neocortex region of the mammal brain. Another study to examine the interconnection of cells in the sensory areas of bird brain found connections similar to mammal brains. According to the researchers led by Martin Stacho from Ruhr-University Bochum, Bochum, Germany, *there is a possibility that mammals and birds independently developed similar microcircuits by convergent or parallel evolution.* The study addresses how mammals and birds show such similar perceptual and cognitive feats.

SOAK IN THE SUN, SLEEP EARLY AND TIGHT TO AVOID MYOPIA

Myopia or shortsightedness is turning out to be an epidemic across India, and indeed even more in Southeast Asia. It occurs because of the potential role of myopic genes and also local environmental conditions such as the prolonged 'near work' and/or less sunlight exposure, and not because of any infection due to harmful germs. It will not become a worldwide pandemic, as COVID-19 has. Yet, drastic changes in lifestyle (becoming more indoor-centric) and the timing and levels of sunlight we receive, it is time to take measures to counteract myopia, which may well become a global pandemic.



What is myopia?

Myopia occurs when the eyeball becomes longer, relative to the focusing power of the cornea and the lens; this leads to focus not on the surface of the retina, but at a point before it. This leads you to find



it difficult to focus distant objects clearly, though you can see close-up objects such as while reading and using the computer use (allaboutvision.com). In the year 2000, about 25% of the world's population was near-sighted or myopic, but it is expected to increase to above 50% by 2050 (30 years from now).

Dire predictions

Based on the current increasing prevalence of myopia in India, scientists from the L.V. Prasad Eye Institute (LVPEI) predict that 64 million children (aged 5-15 years) living in urban regions of the country alone will have myopia by the year 2050, if no interventions are made to control it. *While many factors are known to counteract this problem, recent studies indicate less time spent outdoors to be a risk factor for myopia.* Ambient levels of light during daytime tend to be over 10 to 100 times brighter than that indoors. There are various ways in which such outdoor brightness helps protect the human eye from becoming myopic. (1) If you are in an open space, and not performing any 'near work', the stress on the eye is reduced. (2) Outdoor environment provides equal optical stimuli to various parts of the peripheral retina (the posterior part of the eye) and also enables exposure to different colours (the so called VIBGYOR) equally well, while indoor lighting using artificial sources that cut off specific wavelengths. (3) Upon bright illumination in sunlight, the pupil reduces its size and reduces blur, and increase the depth of focus. (4) Sunlight exposure helps the biology of the eye, helping it to produce more vitamin D. (5) Exposure to bright light releases the hormone dopamine, which controls the length of the eye ball; the shorter it is, myopia might set in. (In this connection, see Rohit Dhakal and Pavan K. Verkicharla: "Increasing time in outdoor environment could counteract the rising prevalence of myopia in Indian school-going children", Current Science, 119,1-4, 2020). Intense educational pressure from the family and teachers to achieve academic excellence, excessive homework, attending coaching classes (invariably held late in the evening, or before school timing for entrance exams) rob high school children of sunlight, leading to the myopia epidemic becoming an endemic, and a sub-global pandemic in Central and East Asian subcontinent.

Policy suggestions

Rohit Dhakal and Pavan Verkicharla (myopia researchers from LVPEI) have made some obvious and public health policy suggestions, which can be implemented right away, particularly now that we have the National Education Policy getting ready for implementation. These are: *Mandatory 60 minutes of recess time in all schools during the school hours every day, by locking the classrooms to keep the students in sunlight, starting from primary level to the high schools.* Have a structured recess time incorporated into all their curricula. Make it mandatory for schools to have enough space for playgrounds. Create public awareness among parents about the importance of proper eyesight and control the use of near-vision devices such as smartphones. Recommend/promote community centres in each locality to organise outdoor programmes weekly or at least twice a month.

Many reasons

All these are obvious and yet not followed, due to economic, financial, real estate and sociological reasons. But at least schools and colleges in the hands of the State and Central governments should attempt to do so. The future stares at us – lest we become short-sighted or myopic in more than one sense. Even as I write, comes a new publication which says that suggests that *sleeping late is a risk factor for myopia development amongst school-aged children in China.* They point out that



years of study have identified a number of risk factors for myopia, such as *family history, genetics, urban living environment*. Recent studies also indicate that *shorter sleep duration and poorer sleep quality are associated with the development of myopia. They disturb the circadian rhythm of the body, particularly in the brain, and also strain the retina*. Thus, early to bed and deep sleep are preventive measures against the onset of myopia. Again, we know that this, too, is becoming difficult with online teaching through web classes, and with the use of television as an instructive medium, particularly for poorer children in rural areas who do not have smartphones. While this may be inevitable during these lockdown days, it should not become an inevitable teaching method, and schools must reopen and conduct classes during daytime.

WHAT THE LARGEST STUDY ON DEMENTIA HOPES TO ACHIEVE

Sean Connery, the legendary Scottish actor who died at the age of 90, suffered from dementia, according to reports. *Dementia is quite widespread, with over five million people suffering in India alone, a figure set to cross 10 million by 2040*. Dementia mainly affects older people, but it is not a normal part of ageing. *The Bengaluru-based Centre for Brain Research is conducting a study of 10,000 rural Indians to understand the risk and protective factors associated with normal ageing, dementia and related disorders*.

Dementia: Burden of the disease

Dementia is a general term to describe a group of symptoms which *occurs due to the damage and death of brain cells*. According to the World Health Organisation, *dementia is a syndrome in which there is deterioration in memory, thinking, behaviour and the ability to perform everyday activities. Worldwide, around 50 million people have dementia, and there are nearly 10 million new cases every year — implying one new case every 3.2 seconds. It is estimated that 5.3 million people above the age of 60 have dementia in India in 2020. This equals to one in 27 people, according to the Dementia in India 2020 report. Alzheimer's dementia is the most common type of dementia*. Dementia robs the person not only his memories and personality but often his dignity as well. Stigmatisation, lack of adequate services, barriers to access available services all worsen the physical, psychological and financial hardships of the families, according to Dementia in India report 2020.

The SANSCOG study

A complete understanding about the cause of dementia remains elusive. It commonly occurs after middle age as a result of neurodegenerative and cerebrovascular processes beginning earlier in the life course. Hence, Srinivaspura Ageing, Neuro Senescence and Cognition (SANSCOG), a first-of-its-kind study in 10,000 rural Indians in Srinivaspura, Kolar district, Karnataka aims to understand risk and protective factors associated with normal ageing, dementia and related disorders. The study is being carried out by the Centre for Brain Research, Indian Institute of Science, Bangalore, India, in collaboration with the National Institute of Mental Health and Neurosciences (NIMHANS), Bangalore and Sri Devaraj Urs Academy of Higher Education and Research (SDUAHER), Kolar. The study is planned as a longitudinal study where participants will be periodically followed-up over a long period of time (at least 10 years).

Study could give vital clues on new strategies

Data from the developing world, especially India, is sparse in the field of dementia research and such comprehensive, longitudinal evaluations spanning genotype to phenotype would help to



better understand gene-environment interactions, which in turn could provide vital clues to initiate strategies targeted at prevention of cognitive decline and dementia, says Dr Jonas Sundarakumar, scientific officer, Grade 1 at the Centre for Brain Research. *The recruitment started in 2018 and there are around 2,200 participants so far. Over 1,850 participants have completed comprehensive, baseline, clinical, cognitive and biochemical assessments, and follow-up assessments have recently started.*

Differences in cardiovascular risk factors

Preliminary unpublished data from the SANS COG study, when compared with data from the parallelly-running, urban study (Tata Longitudinal Study of Ageing) shows that there are significant differences in the cardiovascular risk factors such as hypertension, diabetes, hypercholesterolemia and obesity between the rural and urban population, with the urban population having a much higher prevalence of these vascular risk factors. How these differences in cardiovascular risk factors play out in the differential risk for developing dementia and related disorders remains to be seen, as we regularly follow-up these ageing cohorts, the study researchers said.

Multi-country study underway on Cognitive Simulation Therapy

Like diabetes has no cure but can be controlled, there are interventions that can control dementia, Dr Sridhar said. *A multi-country study on Cognitive Simulation Therapy (CST) for Dementia is underway in India- Brazil- Tanzania.* CST is a brief group-based psychosocial intervention for people living with mild to moderate dementia. There is consistent evidence for the effectiveness of CST but less is known about its implementation to routine clinical care and the multi country study aims to create an ongoing sustainable CST implementation programme to increase quality of life and cognition for people with dementia, said Dr Sridhar, one of the co-investigators of the UK Medical Research Council and Indian Council of Medical Research-funded study.

WHAT IS THIS RARE EBOLA-LIKE VIRUS THAT CAN SPREAD FROM HUMAN TO HUMAN?

A rare Ebola-like illness that is believed to have first originated in rural Bolivia in 2004 can spread through human-to-human transmission, researchers from the US Centers for Disease Control and Prevention (CDC) have discovered. The biggest outbreak of the 'Chapare virus' was reported in 2019, when three healthcare workers contracted the illness from two patients in the Bolivian capital of La Paz. Two of the medical professionals and one patient later died. Prior to that, a single confirmed case of the disease and a small cluster were documented in the Chapare region over a decade ago. While governments, scientists and health experts across the world struggle to contain a second wave of coronavirus outbreaks, researchers at the US' CDC are now studying the virus to see if it could eventually pose a threat to humankind.

What is the Chapare virus?

The Chapare hemorrhagic fever (CHHF) is caused by the same arenavirus family that is responsible for illnesses such as the Ebola virus disease (EVD). According to the CDC website, arenaviruses like the *Chapare virus* are generally carried by rats and can be transmitted through direct contact with the infected rodent, its urine and droppings, or through contact with an infected person. The virus, which is **named Chapare after the province in which it was first observed**, causes a hemorrhagic fever much like Ebola along with *abdominal pain, vomiting, bleeding gums, skin rash and pain*



behind the eyes. Viral hemorrhagic fevers are a severe and life-threatening kind of illness that can affect multiple organs and damage the walls of blood vessels. However, not a lot is known about the mysterious Chapare virus. Scientists believe that the virus could have been circulating in Bolivia for many years, even before it was formally documented. *Infected people may have been misdiagnosed with dengue as the mosquito-borne illness is known to cause similar symptoms.*

What have CDC researchers discovered about the virus?

The researchers also found fragments of genetic entities known as RNA, associated with Chapare, in the semen of one survivor 168 days after he was infected. This suggests that the disease could also be sexually transmitted, they said. They also discovered signs of the virus in rodents in the “home and nearby farmlands” surrounding the first person infected during the 2019 outbreak, according to a report by Live Science. “The genome sequence of the RNA we isolated in rodent specimens matches quite well with what we have seen in human cases,” Cossaboom said. The rodent species, in which Chapare viral RNA was identified, is commonly known as the pigmy rat and is found across Bolivia and in several of its neighbouring countries. New sequencing tools will allow the CDC experts to quickly develop an RT-PCR test — much like the one used to diagnose Covid-19 — to help them detect Chapare. The researchers’ focus now is to identify how the disease is spreading across the country and whether rodents are in fact responsible for its spread.

How is the Chapare hemorrhagic fever treated?

Since there are no specific drugs to treat the disease, patients generally receive supportive care such as intravenous fluids. The CDC website lists maintenance of hydration, management of shock through fluid resuscitation, sedation, pain relief and transfusions as the supportive therapy that can be administered on patients suffering from CHHF. As there are very few cases on record, the mortality and risk factors associated with the illness are relatively unknown.

What is the threat posed by the Chapare virus?

Scientists have pointed out that the *Chapare virus is much more difficult to catch than the coronavirus as it is not transmissible via the respiratory route. Instead, Chapare spreads only through direct contact with bodily fluids.* The people who are particularly at risk of contracting the illness are healthcare workers and family members who come in close contact with infected people. *The disease is also known to be most commonly transmitted in more tropical regions, particularly in certain parts of South America where the small-eared pigmy rice rat is commonly found.* “This is not the sort of virus that we need to worry is going to start the next pandemic or create a major outbreak,” ASTMH scientific program chair and president-elect Daniel Bausch told Insider.

THE STORAGE TALE OF TWO VACCINES

A week after Pfizer announced encouraging results of its mRNA vaccine for COVID-19 based on an interim analysis of a large Phase-3 trial that is underway, data from the Phase-3 trial of the vaccine of the U.S.-based Moderna revealed very encouraging results. The interim results of Moderna’s mRNA vaccine show that it has 94.5% efficacy in preventing COVID-19. The interim analysis, which was based on 95 cases, found that 90 participants in the placebo group had symptoms of COVID-19, while only five participants in the vaccinated group had developed symptoms. Importantly, Moderna revealed that the vaccine might be able to prevent severe disease.



A striking difference

More than the marginally better efficacy of the Moderna vaccine compared with the Pfizer vaccine, the striking difference lies in *better thermostability at relatively higher temperatures*. The stability of *the Moderna vaccine at -20°C for up to six months, 2°C-8°C for 30 days, and at room temperature for up to 12 hours will be critical for the broad roll-out of the vaccine in most countries, particularly in developing countries. In contrast, Pfizer's mRNA vaccine requires storage at -70°C to -80°C, which makes vaccine shipping and storage logistics a nightmare even in developed countries*. If making available storage facilities at such low temperatures for hundreds of million doses of the vaccine is a challenge even in the U.S. and other developed countries, it will be impossible for countries in the Global South to establish such facilities at scales in a short time. *Against this background, Moderna's vaccine offers great promise*. While Pfizer will surely be examining the possibility of reformulating the vaccine to make it stable at higher temperatures without compromising the effectiveness of the vaccine, the ready availability of such a vaccine from Moderna increases the probability of wider access in most countries when millions of doses are manufactured. *On November 12, Germany-based CureVac too reported that its mRNA vaccine is "stable" for up to three months at 5°C and up to 24 hours at room temperature. Most districts in India that are under the universal immunisation programme already have facilities to store huge volumes of the oral polio vaccine at -20°C. Hence, Moderna's mRNA vaccine can be made available in most parts of the country as it remains stable for 30 days at 2°C-8°C*. However, *no vaccine manufacturer in India has tied up with Moderna to make the vaccine in India, and as on October 31, "discussions about the terms of India's potential participation" in GAVI's COVAX Advance Market Commitment for COVID-19 vaccines were only getting "underway"*.

EUROPE'S SECOND COVID-19 WAVE

In the months of March, April and May, Europe as a whole reported between 35,000 and 38,000 Covid-19 cases every day, at its peak. The numbers steadily declined after that as the United States, and, later, India emerged as the epicentres of the epidemic. For most of June, July, and even August, Europe reported less than 20,000 cases a day, almost a third or fourth of what India alone was reporting. In the last one month, however, there has been a dramatic rise in cases in Europe. *The second wave of infections in Europe is far worse than the first*. On Thursday, Europe reported more than 2.5 lakh cases in a single day, according to the database maintained by the website ourworldindata.org. The US, which has had a slightly different trajectory than Europe, too is in the midst of a second wave. Daily numbers in the US have mostly been over 30,000 since June, but in August and September, it was significantly lower than the 50,000-60,000 it was reporting at its peak. In the current wave, the number of daily new cases has already crossed 88,000.

Lowering of guard

While there could be a variety of reasons behind this renewed surge in Europe and the US, experts point to two possible broad factors: *a general lowering of guard after the numbers began to dip in the summer, and the drop in temperature that would be pushing most activities indoors. The cold, dry weather could also be helping the virus survive longer and remain potent, though the evidence on that is not conclusive*.



New strain

A new study, published on Thursday on a pre-print server (yet to be peer-reviewed), suggests that travel within Europe, particularly Spain, could be spreading the virus. It reports that *a new variant of the virus, first detected amongst people in Spain in July, has now spread through many countries in the region. Named 20A.EU1, this variant is particularly prevalent in the UK, Switzerland, the Netherlands, France and Norway.* It accounts for the majority of the recent infections in Europe, and “was dispersed across Europe by travellers to and from Spain”. However, the study also says there was *no direct evidence to suggest that this new variant spread faster than others*, or that it resulted in more serious disease. In effect, while the new variant is becoming dominant, it is not yet clear whether it is also leading to the rapid rise in numbers.

Second wave in India

In India, the number of daily new cases touched a peak in the middle of September, and has been declining ever since. On September 16, India detected 97,894 new cases, the highest for any country in a day. Currently between 45,000 and 50,000 new cases are being detected. But states like Delhi and Kerala are already witnessing a fresh wave of infections. In fact, *Delhi is going through a third wave now, having seen two cycles of peaks and declines earlier — each peak higher than the previous one.* Whether India will also go through a Europe-like resurgence during the winters cannot be predicted. Experts have been warning of the risk in the festival season and the approaching winter when air pollution too is high. The impact of Dussehra, if any, and the Bihar elections might become evident only after a few weeks. But Kang said there were also other differences between the situations in India and Europe. “In Europe and some other parts of the world, a lot of human activities are driven by the season, and the prevailing climate. In most parts of India, the weather changes are not that extreme to force significant behaviour changes... Now, whether that would protect us in some way is something we can only wait and see, but it is certainly plausible,” she said.

WHY DENMARK IS CULLING ITS 17-MILLION STRONG MINK POPULATION

Denmark, which has recorded more than 55,000 cases of COVID-19 so far, has also recorded over 200 human cases infected with SARS-CoV-2 variants that are associated with farmed minks. These include 12 cases with a unique variant, which were reported on November 5. After the Danish Public Health Authority (Statens Serum Institut) discovered the mutated version of coronavirus in mink, the government decided to cull all of the country’s over 17-million population of the animal.

How did this strain emerge?

As per the Danish Veterinary and Food Administration (DVFA), *Denmark has experienced extensive spread of SARS-CoV-2 on mink farms since June 2020, which was followed by virus transmission between the animals and a “spill back” to humans. So far, over 207 farms in the country are infected.* Denmark is the world’s largest mink producer, with a 15-17 million strong mink population across 1,100 farms, according to The Copenhagen Post. The country’s mink population is valued at roughly 3 billion kroner. *The minks were likely infected following exposure to infected humans.* Minks can not only serve as a reservoir for SARS-CoV-2, but are also capable of spreading it to humans. As per the WHO, the severity, clinical presentation and transmission among those infected are similar to those of other circulating SARS-CoV-2 viruses. This variant, which is



referred to as the “cluster 5” variant, is characterised by a combination of mutations that have not been observed previously.

Why is this cause for concern?

The precise implications of the identified changes in the variant are not yet known. But as per preliminary findings, one of the mink-associated variants identified in 12 humans so far may have moderately decreased sensitivity to neutralising antibodies. This might mean that future vaccines may not work against this particular variant of the virus, which is why it is a risk to public health. “It remains a concern when any animal virus spills in to the human population, or when an animal population could contribute to amplifying and spreading a virus affecting humans. As viruses move between human and animal populations, genetic modifications in the virus can occur,” the WHO has said.

So what does this mean?

The WHO has said that further studies need to be carried out to evaluate the potential implications of this variant in terms of transmission, clinical presentation, diagnostics, therapeutics and vaccine development. It has also said that based on the information available so far, countries should refrain from imposing any travel or trade restrictions on Denmark. Even so, the UK has imposed a ban on visitors from Denmark.

Have any other countries reported SARS-CoV-2 in farmed mink?

As per the WHO, six countries, Denmark, the Netherlands, Spain, Sweden, Italy and the US, have reported SARS-CoV-2 in farmed mink.

ANTIBODIES DEVELOPED DURING COMMON COLD FOUND TO TARGET VIRUS BEHIND COVID-19 TOO

When a virus infects a person, their immune system creates antibodies to help fight it. Researchers have now found that some antibodies which are caused after infection with common cold coronaviruses, and which remain in the blood for some time, can also target SARS-CoV-2. The study, by researchers at the Francis Crick Institute and University College London, is published in the journal Science.

The biology

The spike protein of SARS-CoV-2 is made of two parts or subunits, S1 and S2. The S1 subunit allows the virus to latch onto cells, whereas S2 lets the virus into cells. The researchers found that the S2 subunit in common cold coronaviruses and SARS-CoV-2 is similar enough for some antibodies to work against both. The researchers stressed that there are still many unknowns which require further research. A large study is now underway, in partnership with researchers at Imperial College London and University College London.

WHAT IS THE D614G MUTATION IN CORONAVIRUS?

While novel coronavirus is undergoing many mutations, one particular mutation called D614G, according to a study, has become the dominant variant in the global COVID-19 pandemic.





What is the D614G mutation?

When the virus enters an individual's body, it aims at creating copies of itself. When it makes an error in this copying process, we get a mutation. In this case, *the virus replaced the aspartic acid (D) in the 614th position of the amino acid with glycine (G)*. Hence the mutation is called the D614G. This mutated form of the virus was first identified in China and then in Europe. Later it spread to other countries like the U.S. and Canada and was eventually reported in India. 64

How is this mutation different?

The D614G mutation is situated in the spike protein of the virus. "You can think of the spike protein as a massive 'trimer' assembly with three protein chains. Each protein chain has two sub-units (S1 and S2). The sub-unit S1 is the one that attaches to the host cells — Human ACE2 receptor," says Dr. Lipi Thukral, Senior Scientist at CSIR-Institute of Genomics and Integrative Biology (IGIB) in an email to The Hindu. "The S2 sub-unit mediates the fusion of the viral and human membranes. *The D614G mutation is present in the sub-unit S1 of the protein and is also close to the S2 sub-unit.* Therefore, it has an impact on the human cell's interactions with both S1 and S2," she added. "In simple words, *this particular mutation aids the virus in attaching more efficiently with the ACE2 receptor in the human host, thereby making it more successful in entering a human body than its predecessors,*" explains Dr. Saumitra Das, Director of the National Institute of Biomedical Genomics in West Bengal. To provide a clear picture of how transmissible this particular mutation of the virus has become over time, a paper in the journal Cell says that *the mutation was found in 10% of 997 global genome sequences before March 1, 67% of sequences between March 1 and March 31 and 78% of the sequences between April 1 and May 18.*

What are the effects of the mutation?

A preprint posted in medRxiv, which has not undergone peer-review, explains the sequenced genomes of 5,085 SARS-CoV-2 strains in Houston. By doing so, it discovered that not only did the D614G show increased infectivity but it also displayed greater ability at attaching itself to the cell walls inside an individual's nose and throat, increasing the viral load. However, *the paper could not establish any direct correlation between this particular genetic change in the virus and an increase in the severity of COVID-19 or its impact on a patient's mortality.* The patients seem to be exhibiting *variable reactions to it depending upon their genetic constitution, age, exposure to other diseases etc. Researchers are still pondering over the effects of this mutation.*

How prevalent is it in India?

"The D614G mutation, which is the defining mutation for clade A2 of the virus, is indeed, quite prevalent in India," Dr Anu Raghunathan, Senior Principal Scientist at CSIR-National Chemical Laboratory said in an email to The Hindu. A study (a preprint posted on bioRxiv) — which collected *SARS-CoV-2-positive samples from the various States like Delhi, Tamil Nadu, Maharashtra and Uttar Pradesh among others — reveals that the D614G was one of the most prevalent spike mutations even during the initial phase of the pandemic. Since then, D614G mutation's 'relative abundance' has increased over time to 70% and above, in most States except Delhi,* reports another pre-print in BioRxiv after analysing samples from 10 Indian States.



Can this mutation impact vaccine research?

A paper in the journal, Nature, after conducting experiments on hamsters, concluded that this particular mutation may not reduce the ability of vaccines in clinical trials to protect against COVID-19 and that the therapeutic antibodies should be tested against the circulating variant of the virus before clinical development. "There is a need for extreme caution with premature inferences on mutations and their effects without supporting experimental evidence. This could result in a media frenzy and potentially undermine public confidence in vaccines," Dr. Raghunathan states.

COVID-19 CAN MAKE TINNITUS WORSE

Tinnitus is a common condition that causes the perception of noise or ringing in the ears and head. New research has found that tinnitus is being exacerbated by Covid-19 — and also by the measures against the infection.

QUICK COVID-19 TEST FROM IIT KHARAGPUR: HOW IT WORKS, WHY IT MATTERS

A new diagnostic test for Covid-19 from IIT Kharagpur, called COVIRAP, can be a potential game-changer in bringing high-end molecular diagnostics from the lab to the field. The Indian Council of Medical Research (ICMR) has validated the efficacy of the method, IIT-KGP said Wednesday.

How it works: It has an automated pre-programmable temperature control unit, a special detection unit on genomic analysis, and a customised smartphone app for results. Three master mixes work as markers of different genes to confirm the presence of SARS-CoV-2, said Prof Suman Chakraborty, Dean, Sponsored Research and Industrial Consultancy, IIT Kharagpur. Samples collected react with these mixes. *When paper strips are dipped into these reaction products, coloured lines indicate the presence of the virus.* Dr Arindam Mondal, Assistant Professor, School of Bioscience, IIT-KGP, said the technology has been subjected to rigorous testing protocols as per ICMR guidelines.

Why it's special: Current tests include RT-PCR, which are highly accurate but require advanced lab infrastructure, and antigen tests that can give results in minutes but have a lower accuracy. Prof VK Tewari, Director, IIT Kharagpur, said the COVIRAP process is completed within an hour. The test is conducted in a ultra-low-cost portable unit that can be handled by unskilled operators outside the lab environment and is an alternative to high-end RTPCR machines. It can test samples even on open fields. The same unit can be used for a large number of tests on replacement of the paper cartridge after each test. *The patented machine unit is also very generic, which means that it can perform tests beyond Covid-19 — for influenza, malaria, dengue, Japanese encephalitis, TB etc, under the category of isothermal nucleic acid-based tests.*

COVIRAP & FELUDA: **FELUDA**, named after *Satyajit Ray's fictional detective as an acronym for FNCAS9 Editor-Limited Uniform Detection Assay*, is a test developed by the Institute of Genomics and Integrative Biology. This too detects genes specific to SARS-CoV-2, but uses CRISPR-CAS technology. *With FELUDA, too, the need for technical expertise is minimal. While the current FELUDA prototype requires a PCR machine for processing, COVIRAP uses its own detection technology, patented by IIT-KGP.* "There are certain components of the method which are exclusive for us and different from CRISPRCAS," Prof Chakraborty said.



Why testing still matters: India has tested 9.72 crore samples until October 20, and been meeting the WHO-suggested threshold of 140 tests per million population per day. While new cases have been declining daily, experts have said the focus should remain on ensuring access to tests in places in areas where fewer than 140/million tests are done per day. The IIT-KGP director said “the Institute is open for tie-ups” with corporates or start-ups for technology licensing and commercial production.

SCIENTISTS GROW ‘MINI-LUNGS’ IN A LAB, INFECT THEM WITH CORONAVIRUS AND WATCH BATTLE IN REAL TIME

The novel coronavirus is known to attack primarily the lungs, but how the attack unfolds is still a subject of research. Now, two studies have thrown light on these processes by using the same approach. *Scientists have developed lung models in the lab, infected these with SARS-CoV-2, and watched the battle between the lung cells and the virus.* Both papers are published in the journal Cell Stem Press. One study is by South Korean and UK researchers, including from the University of Cambridge; the other is by researchers from Duke University and University of North Carolina. *In both studies, scientists observed how the virus damages the alveoli in the lungs.* Alveoli are balloon-like air sacs that take up the oxygen we breathe and release the carbon dioxide we exhale. Damage to alveoli causes pneumonia and acute respiratory distress — the leading cause of death in Covid-19. Both teams developed the model using “mini-lungs” — or lung organoids. *The organoids were grown from the stem cells that repair the deepest portions of the lungs where SARS-CoV-2 attacks. These are called AT2 cells. The UK and South Korean team reprogrammed the AT2 cells back to their earlier “stem cell” stage. They grew self-organising, alveolar-like 3D structures that mimic the behaviour of key lung tissue. When the 3D models were exposed to SARS-CoV-2, the virus began to replicate rapidly. In six hours, cells began to produce interferons—proteins that act as warning signals to neighbouring cells. After 48 hours, the cells started fighting back. And after 60 hours from infection, some of the alveolar cells began to disintegrate, leading to cell death and damage to the tissue.* In the other study, led by Duke University cell biologist Purushothama Rao Tata, the team got a single lung cell to multiply into thousands of copies and create a structure that resembles breathing tissues of the human lung. Once infected with the virus, the model showed an inflammatory response. The team also witnessed the cytokine storm — the hyper reaction of immune molecules the lungs launch to fight the infection.

THE PLASMA THERAPY DEBATE

Recently published findings on convalescent plasma therapy on Covid-19 patients have triggered a debate over its efficacy. After the country’s largest such trial, known by the acronym PLACID, found that convalescent plasma was ineffective in arresting Covid-19, the Indian Council of Medical Research (ICMR) has been considering dropping this option from the national guidelines. However, in several states including most-affected Maharashtra and Delhi, health authorities continue to push the option while those running plasma blood banks promote it with anecdotal accounts on social media.

Have there been such results elsewhere?

In China, a controlled trial of 103 patients with severe Covid-19 reported no effect of convalescent plasma treatment in terms of time to clinical improvement. In the Netherlands, the ConCOVID



trial, prematurely terminated after 86 patients had been enrolled, could not find any effect on mortality at 60 days, hospital stay, or disease severity at 15 days.

So, who all are still pushing convalescent plasma therapy?

Delhi Health Minister Satyendra Jain has said convalescent plasma played a big part in his recovery and many lives have been saved. In Maharashtra, the government has been conducting the Platina trial in severely ill patients. It is the brainchild of the Medical Education Department and CM Uddhav Thackeray. Dr Mohammed Faizal, state coordinator of the Platina Project, said at least 40% of the trial has been completed. “We should be able to complete the trial in another three months. We have recruited 132 patients and the total target is 472,” Dr Faizal said. Officials said that there is no order or letter from ICMR regarding stopping use of convalescent plasma. “However, ours is a scientific research trial and irrespective of the PLACID Trial findings, the PLATINA trial will continue,” Dr Faizal said.

What happens if ICMR does remove the therapy from its guidelines?

The ICMR has been cautious because of the trial findings. Experts said, however, that guidelines are not necessarily binding and it is too early to dismiss convalescent plasma therapy. But there are other issues. The authorisation of convalescent plasma as treatment for Covid-19 in India has led to questionable practices such as calls for donors on social media, and the sale of convalescent plasma on the black market. Although convalescent plasma is a safe form of treatment when transfused in accordance to the regulations, it involves resource-intensive processes such as plasmapheresis, plasma storage, and measurement of neutralising antibodies. A limited number of institutes in India have the capacity to undertake these procedures in a quality-assured manner, the BMJ paper said.

What is the way forward, then?

This is a new virus, and around the world evidence is still emerging on the best therapeutic options. For example, remdesivir has been sanctioned as a drug of choice by the US drug regulator, while the World Health Organization's Solidarity Trial has found it had little or no effect on 28-day Covid mortality. And experts said use of convalescent therapy has saved some lives but concerns have been raised by the PLACID trial. Dr Shashank Joshi, member of the Maharashtra task force on Covid-19 and Dean, College of Physicians, said that much before the evidence from trials, the task force had introduced some safeguards to check indiscriminate use of drugs such as remdesivir. “Covid care is individualised care. Use of the right drugs in the right patient does work. Some of the therapies can be continued on compassionate grounds,” Dr Joshi said. He said there were limitations in the Solidarity trial — it was not placebo controlled. While results of the Platina trial are awaited, Dr Joshi said the results of one or two trials are not going to change the outcome of a recommendation. Elizabeth Pathak, president, Women’s Institute for Independent Social Enquiry, who has written in the BMJ on the trial findings, said: “The potential harms of the non-immune components of convalescent plasma should be rigorously investigated, only donor plasma with detectable titers of neutralizing antibodies should be given to trial participants, to ensure that the potential for benefit exists for all intervention arm patients.”



STUDY SUGGESTS DELIRIUM CAN PREDICT COVID IN THE ELDERLY

A new study supports evidence that delirium can predict coronavirus infection in older patients who show no other typical symptoms of Covid-19. Published in the journal JAMA Network Open, the study is by researchers at Hebrew SeniorLife, a healthcare, education and research facility affiliated to Harvard Medical School. *Delirium is an acute state of confusion, marked by disorientation, lack of attention etc.* Even beyond Covid-19, *delirium is a common symptom in older adults with severe disease.* And in Covid-19, adults aged 65 years and older are at greatest risk of severe disease, and death. The new study examined 817 elderly patients of Covid-19. The researchers found that almost a third of the patients had delirium. A delirium diagnosis was the main presenting symptom for 16% of those patients, and 37% had no typical COVID-19 symptoms. *Delirium was the sixth most common presenting symptoms in all patients.* The researchers stressed the *importance of including delirium on the checklist of Covid-19 symptoms.*

THE GUILLAIN BARRE SYNDROME SOME COVID-19 PATIENTS DEVELOP

In a rare complication, some patients infected with Covid-19 have been found suffering from Guillain Barre Syndrome (GBS). In India, such cases have been reported since August. A group of neurologists in Mumbai is now mapping these cases and their symptoms. So far, 24 cases have been added to the study.

What is Guillain Barre Syndrome?

It is a very rare autoimmune disorder. The immune system, in an attempt to kill the coronavirus, accidentally starts attacking the peripheral nervous system. The peripheral nervous system is a network of nerves that lead from the brain and spinal cord to different parts of the body. Attacking them can affect limb functions. *The syndrome's first symptoms are a tingling or itching sensation in the skin, followed by muscle weakness, pain and numbness. The symptoms may emerge first in feet and hands. A person then starts experiencing reflex loss and paralysis, which may be temporary, but can last for 6-12 months or longer.* With Covid-19 a year old, it is still difficult to assess the nature of permanency GBS in such cases may present. *GBS is caused by bacteria or viral infection. In the past, patients of Middle East Respiratory Syndrome showed GBS symptoms, as did those infected with Zika, HIV, Herpes virus and Campylobacter jejuni.*

Guillain Barre Syndrome and Covid-19

Covid-19 is known to affect digestive, cardiac and kidney functions. It is also known that some -- not all -- patients are prone to neurological problems if they contract the virus. The virus can cause memory fog, anxiety, headache and depression if it attacks parts of the brain which form the central nervous system. In all these cases, the virus attacks the organs or tissues directly leading to the complication. But in some cases, it can have an indirect effect. It can trigger an immune response so powerful that the body's peripheral nervous system can come under attack. "It is paradoxical. We all want a good immune system. But if the immune system is over-active, it can be detrimental for the body. It can attack healthy nerves along with attacking the virus," Dr Pankaj Agrawal, heading the movement disorders clinic in Global hospital, Mumbai's Parel, said.



Treatment

Intravenous immunoglobulin (IVIG) and sometimes plasma therapy helps recovery in patients with GBS. Some patients may develop severe complications and require intensive care treatment or ventilator support. Studies have indicated that patients need a few weeks of hospitalisation. Dr Kedar Toraskar, chief of critical care in Wockhardt hospital, Mumbai Central, said if a patient is not treated, his condition may deteriorate. “There could be respiratory failure as the worst outcome, or weakness and effect on walking and limb movement. Patients cannot be treated at home, they need hospitalisation and immunoglobulin or plasma,” Toraskar said.

T-CELL IMMUNITY AND COVID-19 (DR. M.S. SESHADRI RETIRED AS PROFESSOR OF MEDICINE AND CLINICAL ENDOCRINOLOGY, CHRISTIAN MEDICAL COLLEGE (CMC). DR. T. JACOB JOHN RETIRED AS PROFESSOR OF CLINICAL VIROLOGY, CMC)

Our immune system responds to virus infections with a first-line defence called ‘innate’ immunity, followed by the second-line called ‘adaptive’ immunity. Innate immunity is like first aid — an immediate response, not strong enough to prevent pathology if the virus is highly virulent or the ‘inoculum’(infecting virus load) is heavy. Innate immunity then passes the baton to adaptive immunity, which takes several days to develop and become effective. Adaptive immunity has two arms — antibodies and T-cell immunity. Antibodies are protein molecules that recognise and bind to viral antigens. Some among them tend to neutralise viruses from infecting fresh host cells. *Some viruses then adopt other mechanisms to infect host cells, and that is when T-cell immunity may come to the rescue.* In most viral infections, the presence of antibodies in the blood is sufficient to classify individuals as immune. But unlike them, antibodies for COVID-19 wane fairly soon. *In persons with asymptomatic infections or mild COVID-19, nearly half will have no detectable antibodies after two months. This phenomenon of short-lived antibodies and consequent re-infection is also seen in some other respiratory tract viruses. Generally, re-infections are mild or asymptomatic, presumably due to protection afforded by T-cell immunity.* Does disappearance of antibodies for the COVID-19-causing virus mean that protection after one infection does not last? Knowing that reinfection with symptoms has so far been proven in only about ten cases among millions infected, protective immunity after the first infection is probably durable. The observed protection in the face of non-detectable antibodies highlights the need to study T-cell immunity.

More long-lasting

In COVID-19 infection, T-cell immunity is more long-lasting than antibodies. It resides in a subset of white blood cells called T-lymphocytes, or T cells. However, the test for assessing T-cell immunity is complicated and expensive. Researchers from Cardiff University have come up with a simplified and *rapid T-cell immunity test, called ‘T- SPOT test’*, that can be done in many laboratories. Serial evaluation of T-cell immunity can help determine its durability after vaccination. Therefore, it is no surprise that vaccine trials have started testing for T-cell immunity too. In a recent study from Karolinska Institute, there were many surprises. *About 25% of blood donors in 2019, prior to the outbreak of COVID-19 infection in Sweden, had T-cell immunity against it. This increased to 50% in 2020 after the pandemic had entered the country. These observations imply that prior exposure to some other coronavirus(es) had evoked “cross-reacting” T-cell immunity towards the COVID-19 coronavirus. In the same study, many contacts of proven COVID-19 patients had T-cell immunity, even though antibodies were undetectable. This indicates that in those exposed to the COVID-19 virus, T-cell immunity occurs even without a detectable antibody response.* The



Karolinska investigators found that *the immune T cells had 'stem-cell' like characteristics — indicating their long-term survival and potential of quick multiplication*. A study from Birmingham confirmed that in COVID-19, *T-cell immunity is durable and lasts for more than six months*. *Four coronaviruses causing common cold are widely prevalent in human communities. Two of them are Beta-coronaviruses, the phylogenetic group to which the COVID-19 coronavirus belongs*. The prevalence of cross-reacting T-cell immunity from the common cold coronaviruses is likely to vary from country to country, depending partly on population density and the frequency of recurrent viral infections of the respiratory tract. *Countries with high population densities, where such infections spread quickly, may be expected to have a higher proportion of the population exposed to them. This may explain the relatively lower impact of COVID-19 (in terms of number of cases and deaths per million population) in countries like India and many low-income countries. Obviously, T-cell immunity is a better and more durable marker than antibodies of past infection for this novel virus*. If India's vaccination policy, when made, recommends that vaccines may be conserved for priority use for non-immune subjects, then, a rapid T-cell immunity test, such as the one developed in Cardiff, will be better than antibody tests. Therefore, developing simple and rapid assays for T-cell immunity should be a priority for Indian scientists to work on, quickly. *Those with T-cell immunity may need no vaccine, or only a single dose of a two-dose vaccine regimen*.

ARTHRITIS DRUG MAY OFFER HOPE FOR OLDER COVID-19 PATIENTS

An existing type of arthritis drug may reduce the risk of dying for elderly patients with Covid-19, according to an international study, led by scientists at Imperial College London and the Karolinska Institutet, Sweden, and published in the journal Science Advances. *The drug, baricitinib, is usually used to treat rheumatoid arthritis*. Using artificial intelligence, Imperial team initially identified it as a drug that could have antiviral and anti-inflammatory effects.

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