

CURRENT AFFAIRS FOR UPSC

7TH TO 13TH MARCH, 2021

DreamIAS



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INTERNATIONAL

PURSUING THE AMERICAN DREAM WITH 'WFA' (PRITHWIRAJ CHOUDHURY - THE LUMRY FAMILY ASSOCIATE PROFESSOR AT THE HARVARD BUSINESS SCHOOL, WHERE HE STUDIES THE FUTURE OF WORK)

For companies and workers facing woes dealing with United States immigration, there is good news and a practical solution. *Work-from-anywhere. For years, high-skilled economic migrants seeking to relocate to the U.S. have faced uncertainty due to lack of clarity and flexibility in the H-1B visa programme.* This uncertainty grew even worse under the Trump administration, with visa denial rates rising significantly. In addition to the negative effects this had on individual migrants and their families, restrictions on the H-1B policy led to economic costs. In recent research with co-authors Dany Bahar and Britta Glennon, we find that (former) U.S. President Donald Trump's June 2020 Executive *Order limiting entry of migrants to the U.S. during the COVID-19 pandemic led to an estimated loss of around \$100 billion in valuation for publicly traded Fortune 500 companies.* As the U.S. adjusts to a new administration, there are signs that the immigration climate might improve. U.S. President Joe Biden has made reforming the immigration system a priority in his coming term. However, with the ongoing pandemic and economic crisis, uncertainty remains. In the meantime, high-skilled workers facing immigration woes can take advantage of another emerging employment trend — companies offering their employees the ability to *work-from-anywhere (WFA)*. I will first shed light on the Biden administration proposal to fix the H-1B programme and then describe how WFA can mitigate immigration woes.

U.S. immigration reform

In January 2020, Mr. Biden had floated a proposal to overhaul the U.S. immigration system, expanding pathways for legal immigration for both family-based and employment-based migrants. *Crucially, for high-skilled migrants, Mr. Biden's proposal would remove country-specific quotas for employment-based visas, and would exempt anyone with a STEM PhD from a U.S. institution from all quotas to receive a green card. In addition, current H-4 visa holders (i.e., spouses and children of H-1B visa holders) would become eligible for work permits.* However, it is important to note that this is still just a proposal. There is a long road ahead before the proposal becomes the law of the land, needing to pass through both the U.S. House of Representatives and the U.S. Senate. Given partisan divisions in the U.S. legislature, it is quite unlikely that the proposal in its current form will ever become law. With U.S. immigration unlikely to change in the immediate future, those hoping to access U.S.-based opportunities do have an alternative: embrace work-from-anywhere.

The difference

Even before the COVID-19 pandemic, companies were beginning to explore remote work options. The pandemic accelerated this trend across all industries for millions of workers. Unlike a traditional work-from-home (WFH) model that allows workers to WFH a few days every week and from an office for the rest of the week, *work-from-anywhere grants individuals the choice to live in their preferred locations. This gives them the flexibility to live in a town, city, or country, far away from where the company or its customers have a physical office. As I discussed in a recent*



Harvard Business Review article (<https://bit.ly/3sTwXjs>), work-from-anywhere can benefit workers, organisations, and society at large. Workers can relocate to their hometown, be closer to family and friends, manage dual career situations and move somewhere where they can enjoy better weather or a better cultural and culinary fit. Workers can also benefit by moving to (or continuing to live in) a lower cost-of-living location. Organisations can benefit from work-from-anywhere as well, and research I conducted at the United States Patent and Trademark Office (USPTO) found that worker productivity under a work-from-anywhere policy was 4.4% greater than when workers were in a traditional work-from-home environment (<https://bit.ly/2OvrC2Y>). As more of the workforce shifts to remote work, organisations can also reduce and reimagine the utility of the physical office, reducing real estate costs. Society, too, can benefit, as daily work commutes are a major source of carbon emissions; the USPTO estimated that shifting to remote work cut emissions by their employees by more than 44,000 tons. In another article, I argue that work-from-anywhere can help talent move back from congested large cities to smaller towns.

A case study

Companies of all sizes and in all kinds of industries are embracing work-from-anywhere. It is most popular among start-ups, where WFA allows new companies to access a global pool of talent with relatively low investment in office space. That said, larger, more established companies are beginning to explore work-from-anywhere and hybrid remote models as well. Tata Consultancy Services (TCS) made headlines during the pandemic when it announced that its 400,000-plus employees will be 75% remote by 2025. TCS has rolled out a '25-25 remote-work model': 25% of the workforce will be in a physical office at any one time, and workers will only be expected to work from an office for 25% of their working hours. In a recent Harvard Business School case (<https://bit.ly/2OB7Y5v>), I explored the changes being implemented by TCS. In this 25-25 model, TCS workers are mostly 'location independent'. This enables TCS clients to access the best talent within TCS, independent of the location of talent. The model also offers TCS employees an opportunity to simultaneously work on multiple projects around the globe, without relocating to the client site or worrying about immigration. The TCS Chief Operating Officer N.G. Subramaniam recently joined my Harvard class to share the internal debates on how to effectively implement this model. Current priorities include ensuring remote workers interact informally with peers and receive mentorship from senior managers. Thought also needs to be given on navigating through the regulatory changes needed to enable work-from-anywhere. The TCS example shows how work-from-anywhere can help Indian companies and workers mitigate the challenges of immigration. While U.S. immigration policies may change for the better, high-skilled workers should view work-from-anywhere as a viable alternative to physical relocation, allowing them to work globally without queuing up for an H1-B visa.

TWO BAD OPTIONS FOR AFGHAN PEACE

President Joe Biden's push for an interim unity government in Afghanistan is a testament to his administration's grim assessment of the situation in the war-torn country. *In a letter to Afghan President Ashraf Ghani, which was first published by Afghanistan's TOLONews, U.S. Secretary of State Antony Blinken has proposed a senior-level meeting between the government and the Taliban in Turkey and a multilateral conference of envoys from the U.S., Russia, China, Iran, India and Pakistan to discuss a lasting Afghan solution.* The peace push comes at a time when the Biden administration



is reviewing the U.S.'s Afghan strategy. According to the February 2020 agreement signed between the Trump administration and the Taliban, the U.S. is scheduled to withdraw its troops by May 1. The Taliban have warned they would step up fighting targeting the coalition troops should the U.S. fail to pull out by then. The Biden administration is understandably under pressure. There appears to be a consensus in Washington that there is no military solution to the crisis. *The U.S. wants to get out of the longest war in its history.* But as Mr. Blinken says in the letter, the U.S. worries that if its troops are out without a peace mechanism, the Taliban, which already controls much of the country's hinterlands, could make "rapid territorial gains". The U.S. seeks to stop this happening by proposing an interim "inclusive" government between the warring parties. Further, both sides should hold talks on the future constitutional and governance framework. *Regional powers, including India and Pakistan, could play a decisive role in this transition as part of a UN-mandated multiparty peace process. This is a more inclusive approach than what the Trump administration did.* Under Mr. Trump, the U.S. held direct talks with the Taliban excluding the Afghan government. And after reaching a deal, the U.S. put pressure on the Afghan government to release prisoners, but failed to get any concessions from the insurgents on reducing violence. Even when Afghan government representatives and the Taliban were holding talks in Doha, Qatar, Afghanistan continued to witness violence. The Biden administration does not seem to have faith in the Doha talks, which, even after months, failed to achieve any breakthrough. After 20 years of war, the Afghan leadership does not have any good options to end the conflict. *If the Biden administration decides to stick to the Taliban deal and pull back troops, there is no guarantee that the intra-Afghan talks would hold.* The Taliban would rather try to take over the whole country using force. If the government accepts Mr. Biden's proposal, Afghanistan's elected leaders will have to share power with the Taliban and agree to amending the Constitution, which means some of the country's hard-won liberties could be sacrificed. It is a choice between two bad options.

OUT OF TOUCH

Meghan Markle-Prince Harry interview highlights just how ill-fitting an institution House of Windsor is in modern times

Racism, control, silencing, callousness — the much-anticipated Meghan Markle-Prince Harry interview does not paint a flattering picture of the House of Windsor. *On the face of it, the revelations by the Duke and Duchess of Sussex to Oprah Winfrey are shocking: Members of the royal household expressed concern about their child's skin colour (Markle is part African-American); the Duchess was told that she must not seek help for mental health issues since "this would damage the institution (royalty)"; Harry and Meghan were cut off financially and his father, Prince Charles, broke off contact with him.* In fact, the British Royal family's attitude may be of a piece with the sheer anachronism of the idea they represent in modern times — royalty. In the last few years, popular culture has done much to justify, and make palatable, the myth of nobility, of inherited wealth and class, to paint royalty as an innocuous, even charming, institution. Downton Abbey, a glorified soap opera featuring English nobility, for instance, helped serve this end and The Crown, a Netflix show that has been on since 2016, celebrates Queen Elizabeth. The mirage of royalty, the notion that some people are born inherently superior, is kept alive. When the ivory tower is a palace, it is easy to lose touch. *To comment on the skin tone (pejoratively) of an unborn child, to believe a "stiff upper lip" can cure depression, to drive a young woman to thoughts of suicide — these attitudes ill fit the 21st century.* Perhaps only an "outsider" like Markle could shatter the myth of royalty, and

3RD FLOOR AND 4TH FLOOR SHATABDI TOWER, SAKCHI, JAMSHEDPUR



perhaps only love could have moved the young prince to recognise his environment as toxic. As for the royals that remain in England as symbols of the country's sovereignty, there's an easy way to understand how the world really works. Get a job.

THE PARTY CAN'T GO ON

For the first time in its post-Nazi history, a political party in Germany is officially under surveillance. *Germany's Federal Office for the Protection of the Constitution, also known as the BfV, has classified the far-right Alternative for Germany (AfD) as a "suspected case" with links to right-wing extremism.* This means German security agents *can monitor AfD party members, tap their phones, read their emails, and scrutinise the party's sources of funding.* AfD leaders reacted angrily to the decision, describing it as *a politically motivated attempt by the Angela Merkel-led government to sabotage its prospects in an election year by putting them "in the Nazi corner".* It is true that the move comes at the beginning of an election season. Six of Germany's 16 States go to the polls this year while the country will hold general elections in September, when Ms. Merkel will depart as Chancellor. However, except for the AfD, which has challenged the decision in court, most parties have welcomed the move. The decision marks the culmination of a two-year long investigation into the activities of the AfD's youth division and the *'Flugel' (the Wing), an extremist unit of the party.* As the courts review the legality of monitoring the entire party, *the BfV has said, for now, incumbent lawmakers and those contesting the September elections will be exempt from surveillance, indicating that the tracking would be confined to lower-level party members. But formal surveillance, even if a limited one, could impact the perception battle ahead of the elections and put the AfD at a disadvantage.* *The AfD was founded in 2013 as a euro-sceptic party.* But in 2015-16, when Germany welcomed 1.2 million refugees, it morphed into a platform for anti-immigrant, anti-Muslim politics, after which its popularity soared. In the *2017 federal elections, it emerged as the largest Opposition party, securing 12.6% vote and 94 seats.* The party is also represented in all the 16 State Parliaments and the European Parliament.

'Sense of betrayal'

The AfD has always enjoyed greater support in what used to be East Germany, in States like Saxony, Brandenburg and Thuringia. In these parts, *sections of society that could not plug into the prosperity of post-unification Germany felt abandoned by the federal government.* *Their resentment was already high when the Merkel administration began to welcome refugees and spend on their welfare.* The AfD stoked the sense of betrayal felt by many in eastern Germany — *the sense that a government that has done little for them, even though they 'arrived' in 1990, is seemingly laying out the red carpet for 'foreigners' who are not even German, don't speak their language, and follow a religion that "isn't German".* *The AfD's manifesto proclaims that "Islam does not belong to Germany".* *As the AfD's popularity rose, Germany saw a spike in hate crimes targeting immigrants.* As per official figures, *the country witnessed around 900 Islamophobic hate crimes in 2020, with 80 mosques attacked during the year.* *The deadliest attack was the shooting spree by a far-right extremist in Hanau in February 2020, in which 11 people were killed.* At the same time, *AfD politicians have been serial offenders when it comes to anti-immigrant, anti-Muslim and even anti-Semitic rhetoric, with some going so far as to break the nation's biggest taboo — trying to whitewash its Nazi past.* For instance, the party's leader of the Opposition Alexander Gauland described the Nazi era as just a *"speck of bird poo" on German history.* *The AfD's Thuringia head Bjorn Hocke said*



Germany was “crippled” by its “politics of remembrance” about the Holocaust and must “reverse it by 180 degrees”. Speaking of Muslim migrants, another *AfD politician Christian Luth said, “We can always shoot them later. That’s not an issue. Or gas them, as you wish.”* The AfD had to expel Luth following public outrage over this comment.

Right-wing violence

Frequent outbreaks of right-wing violence — a pro-migrant politician was shot dead in June 2019, and a synagogue was attacked in Halle in October 2019 — appears to be one of the reasons behind the recent dip in the AfD’s popularity. *The other factor has been infighting, with some leaders calling for extremist members to be expelled in the larger interests of the party, which they want to project as a viable alternative for a conservative middle class that wants nothing to do with neo-Nazis.* Instances of right-wing violence have also sparked large rallies demanding that the state act against extremist platforms. While AfD leaders have sought refuge in free speech rights, Germany’s post-War Constitution is stringent on one aspect: preventing the return of Nazi ideology. As the Merkel administration moves to stop the normalisation of hate, it believes it has public sentiment and the Constitution on its side. With right-wing populism on the rise in many parts of the world, it is significant that the political establishment in Germany, Europe’s most powerful economy, is bucking the trend of liberal-centrists shying away from confronting the far-right head-on, and instead, showing the political sagacity to wield the powers of the state in defense of the constitutional order. Setting this example could well be Ms. Merkel’s parting gift to Germany, Europe and beyond.

SWISS NARROWLY BACK PROPOSAL TO BAN FACE COVERINGS IN PUBLIC

Swiss voters narrowly approved on Sunday a proposal to ban face coverings, both the niqabs and burqas worn by a few Muslim women in the country and the ski masks and bandannas used by protesters. The measure will outlaw covering one’s face in public places like restaurants, sports stadiums, public transport or simply walking in the street.

Few exceptions

It foresees exceptions at religious sites and for security or health reasons, such as face masks people are wearing now to protect against COVID-19, as well as for traditional Carnival celebrations. Authorities have two years to draw up detailed legislation. *Two Swiss cantons, or states, Ticino and St. Gallen, already have similar legislation that foresees fines for transgressions. National legislation will put Switzerland in line with countries such as Belgium and France that have already enacted similar measures.* The Swiss government had opposed the measure as excessive, arguing that full-face coverings are a “marginal phenomenon.” It argued that the ban could harm tourism as most visitors from well-*heeled Persian Gulf states wear such veils.* Experts estimate that at most a few dozen Muslim women wear full-face coverings in the country of 8.5 million people. Supporters of the proposal argued that the full-face coverings symbolise the repression of women and said the measure is needed to uphold a basic principle that faces should be shown in a free society like Switzerland’s. In the end, 51.2% of voters supported the plan.



IRAN SLIPS RECORD VOLUME OF OIL INTO CHINA, TAPS ASIAN CLIENTS

Iran moved about 17.8 million tonnes of crude into China during the past 14 months, with volumes reaching record levels in January and February, while India's state refiners have added Iranian oil to their annual import plans on the assumption that U.S. sanctions on the supplier will soon ease, according to industry sources and Refinitiv data. U.S. President Joe Biden has sought to revive talks with Iran on a nuclear deal abandoned by former President Donald Trump in 2018, although harsh economic measures remain in place. *The sanctions caused a drop in Iran's exports to China, India, Japan and South Korea. Those measures, and output cuts by fellow OPEC+ producers, have led to tight supplies of West Asian sour crude in Asia.* "They talked to us. They said: 'very soon [we] hope to resume oil supplies,'" said a source at an Indian refiner. *Restored Iranian supplies to India could lower demand for spot cargoes, which has risen recently after Iraq cut supplies and Kuwait reduced the duration of some contracts. India, hurting from the sustained recovery in prices, expects Iranian supplies to return to the market in 3-4 months, a government official said.* Another Indian refiner said NIOC officials had told them a formal pact on supply would be signed after Iran's elections in June.

CHINA OVERHAULS HONG KONG'S POLL SYSTEM

China on Thursday passed *sweeping changes for Hong Kong's electoral system that will give Beijing-appointed politicians a greater say in running the Special Administration Region (SAR), marking the biggest change since the handover in 1997. The National People's Congress (NPC), the Communist Party-controlled legislature, approved "to improve" Hong Kong's electoral system as it ended its week-long session, with President Xi Jinping and 2,894 other delegates supporting the move.* One abstained and none opposed the change, which was passed with thunderous applause from the Party-appointed delegates to the NPC in Beijing. At the heart of the new proposal is a move to give Beijing-appointed politicians greater power in running the *HKSAR's politics, through a newly expanded Election Committee of 1,500 members.* The NPC said *the move was to ensure that "the electoral system should conform to the policy of 'one country, two systems', meet the realities in the HKSAR and serve to ensure that Hong Kong is administered by people who love the country and love Hong Kong".* The idea to *"ensure the administration of Hong Kong by Hong Kong people with patriots as the main body"* was described by Beijing as a response to the 2019 pro-democracy protests that roiled the city and called for universal suffrage. Wang Chen, vice chairman of the NPC Standing Committee, said the new move was to plug *"clear loopholes and deficiencies, which the anti-China, destabilising elements jumped on to take into their hands the power to administer the HKSAR".*

More legislators

Currently, only half of the *70 members of Hong Kong's Legislative Council (LegCo) are directly elected and the rest are nominated.* With this change, *the number of LegCo members will be increased to 90, with the additional members also nominated, thereby reducing the share of elected representatives. The expanded Election Committee will be composed of 1,500 members, up from 1,200 previously, with the new members set to include the Beijing-nominated Hong Kong members of the NPC (the legislature) and the Chinese People's Political Consultative Conference (the political advisory body or upper house).* *The Election Committee, as previously, will be responsible for electing the Chief Executive, and will also choose some of the members of LegCo. The selection of "patriots"*



will be ensured by the setting up of a new candidate qualification review committee, which the NPC said "shall be responsible for reviewing and confirming the qualifications of candidates for the Election Committee members, the Chief Executive, and the LegCo members". The new electoral system is the second significant change in the administration of the HKSAR since the 2019 protests, with a national security law passed last year that lists penalties for "secession" and "subversion" and, in the view of Hong Kong's pro-democracy parties, has eroded the political freedoms that distinguished Hong Kong from the mainland under the "one country, two systems" model.

IN PURSUIT OF POWER (YOGESH GUPTA - FORMER AMBASSADOR)

At the meeting of China's National People's Congress, the unicameral legislature, and the Chinese People's Political Consultative Conference, a broad political advisory body, on March 5, Prime Minister Li Keqiang spoke of the U.S.'s attempt to contain China and of Beijing's attempts to win the economic, technological and strategic competition against the U.S. He unveiled plans to transform *China into a manufacturing superpower by 2025 by upgrading its global competitiveness in eight core areas: rare earth materials; robotics; aircraft engines; new energy vehicles; high-end medical devices; major equipment in shipbuilding, aviation and high-speed rail; agricultural machinery; and applications of BeiDou.*

Major announcements

How will China do this? It will *"fix weak links of components, software and fundamental systems" by boosting expenditure on basic research and raising investment in research and development over the next five years. It will try to attract more foreign talent and explore "science and technology immigration."* Value addition in the digital economy will be expanded to 10% by 2025. Though China has made considerable *advances in 5G, artificial intelligence, drones, bio and financial technologies, progress has been patchy in high-end technologies for manufacturing engines for its fifth-generation aircraft, miniaturisation of nuclear reactors for aircraft carriers or semiconductors and microchips.* Other major announcements included *expansion of the Chinese military budget.* China will continue to *modernise its navy, missile and strategic forces to challenge the U.S.'s dominance in the South China Sea and the Taiwan Strait.* Disregarding external criticism, China will strengthen its grip on Hong Kong by overhauling its election laws to *ensure that "patriots govern" it. Similarly, Beijing will push its efforts to assimilate China's ethnic minorities such as Uighurs, Tibetans, Mongols and others. Public protests will be dealt like "fight on a battlefield,"* it was added. A U.S. State Department spokesperson reacted strongly saying the *Biden administration would "harness collective action against Beijing for rights abuses".* The European Union (EU) urged Beijing to be careful in tinkering with Hong Kong's electoral system saying that it was ready to take additional steps to prevent serious deterioration of political freedoms and human rights. China will make more *efforts to augment its economic partnership with the EU, ASEAN, Japan and South Korea. It has already signed the Regional Comprehensive Economic Partnership with a number of Asian countries and the Comprehensive Agreement on Investment with the EU.* It is working to sign *free trade agreements with Japan and South Korea.* China is hoping to lure these countries away from the U.S. by offering increased market access. Mr. Li proposed an economic growth rate of 6% for 2021 to cut down on debt and disorderly investments. *Domestic consumption will be increased by amending the hukou system providing residency permits in the cities to the rural migrants. China's Five-Year Plan for 2021-25*



calls for the construction of a Polar Silk Road aimed at extracting natural gas below the melting ice in the Arctic and establishing a faster shipping route to Europe via the North Arctic.

Meeting targets

Chinese leaders are accustomed to pronouncing ambitious targets at important meetings to maintain high national fervour and seek greater attention from global investors and business leaders. Often, the targets are imprecisely spelt out without any specific plans of implementation. No one is allowed to question if these targets have been missed. For instance, one target was to achieve a *“moderately well-off society by 2021”*. *Mr. Li himself admitted that 600 million Chinese had an income of just 1,000 yuan. Whether these targets will be achieved is anybody’s guess, but according to Professor of Chinese Politics, Carlos Minzer, these pronouncements are likely to help President Xi Jinping secure a third term next year.*

CASTING THE ASIAN DICE ON A WEST ASIA BOARD (KABIR TANEJA - FELLOW, STRATEGIC STUDIES PROGRAMME AND HEAD, WEST ASIA INITIATIVE, OBSERVER RESEARCH FOUNDATION)

*This month, a contingent of the Indian Air Force including fighter aircraft and over 120 personnel is, for the first time, in the midst of a multi-nation exercise hosted by the United Arab Emirates (UAE) named **Desert Flag (March 3-27)**. Other than India and the UAE, Bahrain, France, Saudi Arabia, South Korea and the United States are also participating, offering an interesting view for New Delhi of the various geo-political intricacies at play in and around the West Asia region.*

Complexities, Asia’s links

West Asia is home to perhaps some of the most complex security conundrums of the modern times. *The sixth edition of Desert Flag this year takes place as tensions between Iran and the U.S. peak. Also added into the mix is the signing of the Abraham Accords in September 2020 between Israel, the UAE and Bahrain, a more cordial and joint Arab-Israeli dynamic predominantly designed to counter Tehran’s growing influence in the region, as seen through the wars in Syria and Yemen.* While joint exercises in West Asia between Arab states and their western counterparts is common, *the 2021 edition’s involvement of contingents from India and South Korea showcases the growing interests of Asian economies. As net importers of crude oil, these Asian economies rely heavily on the West Asian states for their supplies, and, by association, have increased stakes in the safety and security of the region from the perspective of political and economic stability. And more importantly, in the protection of vital sea lanes in areas such as the Strait of Hormuz, the Gulf of Aden and the Red Sea stretching out into the Arabian Sea and the wider Indian Ocean.*

A fading U.S. hold

To put the above in perspective, in April 2020, *Saudi Arabia was India’s top supplier of oil followed by Iraq. For South Korea, in late 2019, it was also Saudi Arabia as the top supplier as both New Delhi and Seoul hedged their bets and diversified, with Russia and the U.S. entering as strong alternatives. The participation of both India and South Korea in these exercises in the Persian Gulf is reflective of these trends and growing concerns in Asian capitals over an eroding U.S. security blanket in the region.* This is highlighted even further by the fact that January 2021 marked the *first time since*



1985 that the U.S. did not import oil from Riyadh (<https://bit.ly/30DziDa>), and this reality will be reflective in how Washington DC deals with West Asian politics in the years to come.

Iran and tensions

Amidst these new realities, *both India and South Korea have found themselves caught in regional tensions as the pressure on Iran to restart the 2015 nuclear agreement (Joint Comprehensive Plan of Action, or JCPOA) increases, which the U.S. unceremoniously exited in 2018 under the indelible American presidency of Donald Trump. Both India and South Korea have faced carbon-copy consequences over the past decade as the West first negotiated with Iran, and later tried to manage the fallout of the JCPOA collapse. In 2013, an Indian oil tanker named MT Desh Shanti was confiscated near the Strait of Hormuz by Iranian forces and taken to the port of Bandar Abbas on the pretext of the ship violating environmental norms. This was also the time when Iran was under sanctions, and looking for oil payments from India, which New Delhi could not complete due to said sanctions. The Desh Shanti episode was seen as a pressure tactic by Tehran. Fast forward to January 2021; Iran confiscated a South Korean tanker, MT Hankuk Chemi, also from near the Strait of Hormuz, lugging the ship to an Iranian port, once again highlighting that the vessel was violating environmental norms. This came at a time when Tehran and Seoul were locked in an argument over billions of dollars' worth of oil payments frozen due to sanctions against Iran over its nuclear programme.*

India's involvement

The idea of Asian nations having to band together to protect their energy interests in West Asia is not new. Former Indian diplomats have even suggested an idea equitable to an 'importers OPEC', or Organization of the Petroleum Exporting Countries, led by Asian states which today have a much larger stake in West Asia's oil than the West. India's security footprint in West Asia has seen a steady increase, and energy security and safe passage of sea routes are one of the main driving factors. The Indian Navy has made multiple port calls from the UAE and Kuwait to Iran and Qatar in recent years. In 2020, India had also planned its first bilateral naval exercise with Saudi Arabia, which was postponed due to the novel coronavirus pandemic. This trend of an increasing Asian security interest and footprint is expected to only magnify in the years to come as the nature of security in West Asia changes itself. Regional states will become more responsible for their own security, and as Asian economies become stronger stakeholders, their geopolitics will become more visible across this geography.

INTENSE FIGHTING IN YEMEN'S MARIB LEAVES AT LEAST 90 DEAD

Fierce fighting between *Yemeni pro-government forces and Iran-backed Houthi rebels has killed at least 90 combatants on both sides in the past 24 hours, military sources said on Saturday. The Shia rebels launched an offensive last month to seize Marib, the last stronghold in northern Yemen of pro-government forces who are backed by a Saudi-led military coalition.* The clashes in the oil-rich province left 32 dead among government forces and loyalist tribes, while 58 Houthi rebels were killed in coalition air strikes, the sources said. They said heavy clashes broke out on six fronts as government forces were able to counter attacks by the Houthis who managed to advance only on the Kassara front northwest of Marib city. The fighting also left dozens of people wounded, the sources added. The loss of Marib would be a huge blow for the Yemeni government, but would

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also threaten catastrophe for civilians, including hundreds of thousands of displaced people in desolate camps. It would also be a major setback for Saudi Arabia, which has been the target of increasingly frequent Houthi missile attacks in recent weeks. *Shrapnel from Houthi drones intercepted by the Saudis on Friday wounded two civilians, including a 10-year-old, in the southwest of the kingdom. U.S. Secretary of State Antony Blinken on Monday urged the Houthis to halt their offensive in Marib, as he announced \$191 million in aid.*

POPE, TOP SHIA CLERIC PLEAD FOR 'PEACE' IN HISTORIC IRAQ MEET

Grand Ayatollah Ali al-Sistani, spiritual leader of most of the world's Shia Muslims, told Pope Francis in a historic meeting in Iraq on Saturday that the country's Christians should live in "peace". The meeting, on the second day of the first-ever papal visit to Iraq, marked a landmark moment in modern religious history and a milestone in the Pope's efforts to deepen interfaith dialogue. Pope Francis later addressed the rich spectrum of Iraq's religious communities at Ur, the birthplace of the Prophet Abraham, a central figure in the Christian, Jewish and Muslim faiths, where he made an impassioned plea for "unity" after conflict. The 84-year-old pontiff's trip to Iraq is an effort to both comfort the country's ancient but dwindling Christian community and deepen his dialogue with other faiths. The Grand Ayatollah, 90, "affirmed his concern that Christian citizens should live like all Iraqis in peace and security, and with their full constitutional rights," his office said. During his address, Pope Francis said freedom of conscience and of religion were "fundamental rights" that should be respected everywhere.

BRAZIL SC JUDGE ANNULS CONVICTIONS AGAINST LULA

A Brazilian Supreme Court judge on Monday annulled the criminal convictions against former leftist President Luiz Inacio Lula da Silva, a move that could allow the popular politician to run in next year's presidential election. The decision roiled financial markets and scrambled forecasts for the 2022 race, with many investors betting it would polarise voters between President Jair Bolsonaro, a far-right populist, and Mr. Lula, his greatest opponent on the left. In a surprise decision, Justice Edson Fachin said that a court in the city of Curitiba did not have the authority to try Mr. Lula on corruption charges and that he must be retried in federal courts in the capital Brasilia. The office of Brazil's Prosecutor-General said it will appeal the decision, which will also be reviewed by the full Supreme Court. Financial analysts said the prospect of Lula candidacy would likely drive Mr. Bolsonaro to abandon economic reforms he ran on in 2018 and further embrace populist measures. "With Lula eligible, the chance of this government going totally towards populism increases even more," said Alfredo Menezes, managing partner at Armor Capital. Mr. Lula governed Latin America's largest economy between 2003 and 2011, overseeing a commodities boom that turbocharged economic growth. In 2018, he was convicted of taking bribes from firms in return for contracts and spent a year and a half behind bars, until the Supreme Court ruled he and others could appeal their cases without serving time.

THE TALE OF TWO TERMINALS IN COLOMBO

In a Cabinet decision on February 1 this year, Sri Lanka booted India and Japan out of a 2019 deal to jointly develop the East Container Terminal (ECT) at the Colombo Port, as trade unions and sections of the Buddhist clergy vehemently opposed foreign involvement in the strategic national asset.



Further, some raised questions about the possible conflict of interest, given that the Adani Group operates about a dozen ports in India. Both India and Japan expressed displeasure at the Sri Lankan government's "unilateral" decision. *As an alternative, the Rajapaksa administration offered the West Container Terminal (WCT) at the Port to India and Japan for joint development on new terms, with higher stakes of 85% for the foreign partners.* On March 1, the government approved a joint venture with the Adani consortium to develop the WCT, on a build-operate-transfer basis for 35 years. But Sri Lanka's change in course has been far from smooth. Both India and Japan have distanced themselves from the decision. New Delhi has termed Colombo's statement that the Indian High Commission had approved the Adani Group's proposal to develop the WCT "factually incorrect". Japan is yet to name an investor, according to Sri Lanka's Cabinet spokespersons.

Colombo's response

Asked about New Delhi's reaction to Colombo's March 1 Cabinet decision, spokesman Udaya Gammanpila said on Tuesday, that the Indian government had "nominated" the Adani Group to invest in the ECT. Therefore, the Sri Lankan government "assumed" that the Group was the nominee for the WCT project too, as it was "the very same investment", and only a "change in investment location".

Two projects

The Colombo Port has five terminals at present — South Asia Gateway Terminal (SAGT), Jaya International Terminal (JIT), Colombo International Container Terminal (CICT), Unity Container Terminal, and the ECT. The proposed WCT is to come up at the Port's western end. *Although both ECT and WCT are located in the same port, there are crucial differences in their proposed development. The ECT is partially functional with a 600-metre quay wall, backyard, and gate complex. It awaits further development to augment operations and cargo transfers, at an estimated cost of \$700-800 million. The WCT, on the other hand, exists only as an idea with no physical infrastructure, such that its development would require greater investment and take more time to be profitable. In the ECT deal, the Sri Lanka Ports Authority (SLPA) was to hold a majority stake of 51%, while Indian and Japanese investors were to hold 49% together. The more recent WCT deal that Sri Lanka's Foreign Secretary called a "compromise" envisages 85% for the Indian and Japanese investors, for 35 years, while the SLPA would hold the rest.* The arrangement is similar to the CICT, where China Merchants Port Holdings Company holds an 85% stake. According to Cabinet spokesman Mr. Gammanpila, the "nationalist forces" as well trade unions "strongly" view the ECT as "a strategically important terminal" and it should not be developed by a company with a conflict of interest. "But WCT is not considered as important as the ECT, therefore, their [Adani Group's] experience in the port sector would be considered as a positive factor, not a negative factor."

Questions about the deal

In terms of foreign relations, the government's abrupt exit from an existing international agreement surprised, and even shocked, many. Domestically, too, the government faces several questions. While the government claims that a "majority" of trade unions are on board with the new proposal, a section of unions see the WCT offer to India, as being as problematic as the former ECT deal. *Their opposition was principally to foreign involvement in national assets.* The government's political rivals, including the main opposition party Samagi Jana Balawegaya and



the leftist-nationalist Janatha Vimukthi Peramuna are also opposing the decision, accusing the government of back-tracking.

Implications

Industry representatives, who favoured private partnerships to develop the Colombo Port as an international hub, are unconvinced of Colombo's policy switch. Rohan Masakorala, maritime shipping expert and CEO of the Shippers' Academy Colombo, said it was "a big mistake". "Making the ECT a 100% public terminal without a partnership with international consortiums or port operators is purely a political decision, not an economic one," he said, adding that the move could cost the Colombo Port in its efficiency in the medium to long term. "It also gives potential investors here mixed signals, because the government's position was volatile and not direction driven," he told The Hindu. The latest WCT proposal also begs the question that *if there is no governmental agreement from India or Japan this time, why didn't Colombo choose the investor through a competitive international bidding process? Observing that "ideally" Colombo should have gone for such a bid, Mr. Masakorala said: "But we walked into a situation that required damage control."* Experts have for long maintained that if the Colombo Port is to become an international hub it would need to collaborate with foreign shipping companies, port operators and logistics companies. Especially because 81% of the total cargo arriving at the Colombo Port is transshipment cargo, while only 19% accounts for domestic cargo. Over 70% of the transshipment business is linked to the Indian market — a reason that successive governments cited for Indian involvement in the terminal development projects.

NEPAL SUPREME COURT SCRAPS RULING NCP

The Supreme Court of Nepal on Sunday scrapped the ruling Nepal Communist Party (NCP) and revived the two original parties that had joined hands in 2018 to form the ruling party. With this decision, the original ruling alliance between the Communist Party of Nepal (UML) and the Communist Party of Nepal (Maoist-Centre) has been re-established. Prime Minister Oli's faction has welcomed the decision. A joint bench of Justices Kumar Regmi and Bam Kumar Shrestha took away the name of the ruling NCP because of a case filed by Rishi Kattel, leader of the Communist Party of Nepal. *Mr. Kattel had filed a writ petition arguing that the "Nepal Communist Party" formed following the merger of the CPN (UML) and the CPN (Maoist Centre) in 2018 had copied his party's name.* The surprising development came in the backdrop of the first session of the reinstated House of Representatives which witnessed stormy scenes as the faction led by Co-Chair of the NCP Pushpa Kamal Dahal 'Prachanda' and former PM Madhav Kumar Nepal walked out soon after the Lower House met. They were protesting against the tabling of a controversial ordinance by the Oli government. *The judicial intervention is being interpreted as a move that will strengthen Prime Minister KP Sharma Oli who was dealt a blow when the Supreme Court reinstated the House of Representatives two months after President BD Bhandari had dissolved it on Cabinet recommendation.* "We respect the decision given by the honourable Supreme Court. The joint bench has quashed our 2018 alliance and restored the previous political parties. So as of now PM Oli as the leader of CPN-UML is the leader of the largest political formation in Parliament with 121 members. Mr. Prachanda as the leader of the CPN (Maoist-Centre) will have 53 members," said Dr. Rajan Bhattarai, Foreign Affairs Adviser to PM Oli. Mr. Oli was sworn in in February 2018 after he won the election as the Chairperson of the CPN-UML in alliance with other parties, including the



CPN-Maoist Centre. Following the victory, the two major Left wing parties came together and formed a single outfit — Nepal Communist Party which had its nine-member Secretariat, 45-member Standing Committee and a Central Committee with 441 members. *The verdict has scrapped the party but the fate of the three internal organs — Secretariat, Standing Committee and the Central Committee — is not yet clear as several members of the two alliance partners had amalgamated and thrown a challenge to Mr. Oli's authority.*

AT ANY COST

Around the world and across time, courage looks the same. Details may vary: On June 5, 1989, in Beijing's Tiananmen Square, it looked like a man clad in black trousers and white shirt, a shopping bag in each hand, facing down the column of Type 59 tanks rumbling down the street. On July 9, 2016, in Baton Rouge, USA, it was a young black woman, in a flowing, printed dress, facing down policemen in full riot gear during a Black Lives Matter protest. And earlier this week, in Myitkyina, Myanmar, courage wore a nun's habit, as she knelt before heavily-armed policemen and begged them to shoot her instead of the pro-democracy protestors behind her. *That image of Sister Ann Rose Nu Tawng is only the latest symbol of courage and defiance to emerge from the pro-democracy protests in Myanmar.* Last week, the viral image of Burmese resistance against the coup d'état was that of Kyal Sin, a 19-year-old woman also known as Angel, who was protesting on the streets of Mandalay wearing a t-shirt with the slogan "Everything will be OK". Everything was not OK. Sin was shot in the head and killed by security forces. The nun's pleadings were disregarded and protestors were fired upon. The pushback against the suspension of democracy continues, as does the use of brute force by Myanmar's junta regime. Since the coup on February 1, amid the photos and videos from the protests that have streamed out of Myanmar, when images like that of Sin and Sister Ann Rose arrive, they spotlight the individual and her suffering. They bring home the full weight of everything that is being witnessed and endured. They also become immediate and forceful reminders that in the face of violence, especially from the state, ordinary people can and will stand up — for peace, mercy, compassion and their right to life and liberty — no matter the cost.

U.S. CURBS COULD HIT QUAD'S VACCINE AIMS

The U.S.-backed Quad alliance aims to invest in India's pharmaceutical capacity as it looks to ramp up COVID vaccine output, but U.S. curbs on exports of key materials could hamper that effort, sources say. The alliance, grouping the United States, Japan, Australia and India, wants to expand global vaccinations and in turn counter China's growing vaccine diplomacy in Southeast Asia and worldwide. India is the world's biggest vaccine maker.

India to seek assurance

As the alliance's first virtual summit kicks off on Friday, one key assurance that India will be seeking is for an easing of export curbs, said two sources briefed on the issue. The White House said last week it had used the U.S. Defence Production Act — which prevents export of materials to prioritise local production — to help drugmaker Merck make Johnson & Johnson's COVID-19 vaccine. *India's seeking both raw materials and investments from Quad partners and once this aspect is resolved, then the Quad alliance can start large-scale distribution starting in Southeast*



Asian countries,” said one Indian government source. Earlier this week Reuters reported that the *U.S. and Japan would help fund Indian firms manufacturing vaccines for U.S. drugmakers Novavax Inc. and J&J. Some of the additional supplies from India will go to Southeast Asia as China pushes its vaccines to supply Indonesia, Philippines and others in the region.*

Filters and bags

But the *Serum Institute of India (SII), the world’s biggest vaccine maker, has said it is worried the U.S. ban on exports of materials like filters and bags, keeping them for U.S. companies, could limit production, especially of the Novavax shot that it was set to start making next month.* “The ramp-up and scaling of Novavax production could take a sharp hit, and if restrictions persist this could down the road also slow the ramp-up of Covishield,” said a source close to the matter, referring to the Oxford/AstraZeneca vaccine that SII is also licensed to produce. SII did not respond to a request for comment. U.S. officials did not immediately respond to requests for comment. India’s foreign ministry had no immediate comment. Limitations to production of the Novavax and Covishield shots risk hurting the GAVI/WHO COVAX initiative that is heavily reliant on those two vaccines as it shares inoculations with poorer countries.



DreamIAS



NATIONAL

U.S. NSA IMPLIES LAC SITUATION DISCUSSED AT QUAD LEADERS MEET

U.S. National Security Advisor Jake Sullivan told reporters after the Quad leaders summit that China was discussed at the meeting but was not the focus. He also implied that one of the China-related challenges discussed was the India-China border situation. *“The four leaders did discuss the challenge posed by China and they made clear that none of them have any illusions about China but today was not fundamentally about China,”* Mr. Sullivan said, adding that the focus was on pressing crises, such as COVID-19 and climate. Mr. Sullivan implied that the situation along the Line of Actual Control (LAC) was discussed by the Quad leaders as one of several examples of Chinese aggression. *He was responding to a question on his and Secretary of State Antony Blinken’s meetings next week with their Chinese counterparts in Anchorage, Alaska. “This is our effort to communicate clearly to the giant Chinese government, how the U.S. intends to proceed at a strategic level. What we believe are fundamental interests and values, and what our concerns with their activities are, whether it’s on Hong Kong or Xinjiang or in the Taiwan Strait, or frankly, the issues that we heard today from our Quad partners: their coercion of Australia, their harassment around the Senkaku Islands, their aggression on the border with India,”* Mr. Sullivan said, implying that the India-China border standoff had been discussed. *“The Quad at the end of the day — at the end of today — is now a critical part of the architecture of the Indo Pacific,”* Mr. Sullivan said. Also discussed were *cybersecurity incidents impacting Quad members. The discussions included not just the cyberattacks on U.S. targets (Microsoft Exchange and SolarWinds) but also cybersecurity incidents in India, Japan and Australia,* Mr. Sullivan said. Weeks ago, news broke that spyware originating in China had made its way into several Indian power installations and port facilities.

‘Quad isn’t a new NATO’

Mr. Sullivan reiterated that the *Quad was not a military alliance or NATO equivalent (it has been referred to by some commentators as ‘Asian NATO’)*. He was responding to a question on whether there would be greater *Quad security cooperation with Taiwan so that it would become more costly for the Chinese to move against Taiwan.* “So the way that we look at this is that the Quad is not a military alliance. It’s not a new NATO, despite some of the propaganda that’s out there,” Mr. Sullivan said, adding that it was an opportunity *to cooperate on economics, technology, climate and security.* While maritime security, humanitarian and disaster response were core to the Quad agenda, “where we go from there on everything from freedom of navigation to broader regional security questions that has to be worked through,” he said.

Huawei decision

Asked about recent news that India was likely to block Indian telecom operators from using Huawei equipment for security reasons, Mr. Sullivan said it was a sovereign decision for India to make but consistent with the decisions the U.S. has been advocating. The U.S. — during the Trump administration — campaigned internationally for countries to exclude Huawei from its 5G networks, citing security concerns. Overall, Mr. Sullivan sounded an optimistic note on the Quad. “Today is a big day for American diplomacy. This summit is a big deal for the President and for the country...,” he said.



TOWARDS PEACE ON THE BORDER (RAM MADHAV - MEMBER, BOARD OF GOVERNORS, INDIA FOUNDATION)

Things seem to be looking up for India in the neighbourhood. China has withdrawn its troops in eastern Ladakh across the Line of Actual Control (LAC). Pakistan has voluntarily come forward for a ceasefire across the Line of Control (LoC). The new U.S. administration has been issuing positive statements.

Shift in strategy

This is the second time in the last few years that China has been forced to make a reassessment of its ground strategy. Earlier in 2017, at Doklam where there was a 72-day stand-off, mobilisation of Indian forces led to the withdrawal of Chinese equipment and troops from the disputed area. It took almost 10 months for this to happen in Ladakh. It began at Pangong Tso; Depsang Plains and Hot Springs are yet to see the withdrawal. This can be attributed to a conspicuous shift in India's strategy. Prior to 2014, India used to engage in diplomacy and close matters through a quiet give and take in such conflicts along the LAC. In 2013, India was allegedly forced to dismantle some military structures as a part of the resolution process when China encroached into Depsang Valley. Indian troops used to generally avoid a face-off. That was the kind of peace we managed to maintain along the LAC. But under the new policy, the Indian forces practice active engagement on the ground while their leadership engages in negotiations with their counterparts. This revised strategy of *'proactive diplomacy together with strong ground posturing' seems to be working well with our northern neighbour. Long ago, Chairman Mao Zedong had conveyed an important message to India through his Premier, Zhou Enlai. In August 1962, Mao had asked his army commanders to prepare for war with India. Zhou, a good friend of Prime Minister Jawaharlal Nehru, reminded Mao about the Panchsheel Treaty signed by the two countries, which mandated 'peaceful coexistence' as the core principle. Mao told Zhou to convey to Nehru that India and China should practice 'armed coexistence'.* This must always be remembered in dealings across the LAC. The LoC too has seen some pleasant manoeuvres. *In a sudden development, the Director Generals of Military Operations (DGsMO) of India and Pakistan decided on February 22 to strictly implement the 2003 ceasefire agreement. Coming after one of the worst years of ceasefire violations across the LoC (more than 5,000) and just before summer, this decision must be a greatly reassuring one for peace. On its part, India has always demonstrated its commitment to peace.* A similar agreement was reached between the two DGsMO in 2018 too. However, there were violations by Pakistan, including the Pulwama attack. Pakistan Prime Minister Imran Khan insisted that there would be no engagement with India until the status quo was restored in Jammu and Kashmir. *All that seems passe now. There seems to be equal enthusiasm in Pakistan over the ceasefire. Just as China's withdrawal cannot be second-guessed, Pakistan's climbdown too cannot be explained conclusively.* The FATF sword is still hanging over Pakistan's head, the economy is in precarious condition, COVID-19 has impacted exports, and there is a repayment crisis. China is helping its friend, but it looks unhappy about the uncertainty over the China-Pakistan Economic Corridor. Political pundits predict that when besieged from all sides, Pakistan has a propensity to spread terror and violence in India. India has enough experiences to appreciate Pakistan's potential for mischief. That is why India has reiterated that there will be no let-up in counter-terror operations. But there is discernible change in General Qamar Javed Bajwa's tone and tenor. Moeed Yusuf, Special Adviser on National Security in Pakistan, cryptically told journalists: "Do you think this could happen without pressure?"

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Biden administration's approach

Pakistan must be under pressure from India, the new U.S. administration as well as China. There are indications that the Biden administration will adopt a nuanced approach with China. In its own economic and strategic interest, China would prefer to give that a chance. It probably wants Pakistan also to fall in line. Contrary to fears, the Biden administration seems to be largely siding with India in its South Asia policy. "We are concerned by Beijing's pattern of ongoing attempts to intimidate its neighbours. As always, we will stand with friends, we will stand with partners, we will stand with allies," a State Department official stated recently on the border stand-off. In another statement, the U.S. State Department said it "welcomes" the steps taken to return Jammu and Kashmir to "full economic and political normalcy consistent with India's democratic values". India should seize this opportune moment. Taking a leaf out of Vajpayee's statesmanship in 2003 may not be a bad idea.

QUAD LEADERS FOR 'OPEN, FREE' INDO-PACIFIC

Members of the Quadrilateral framework, or Quad, will become "closer than ever before", Prime Minister Narendra Modi said on Friday, in his address to the *first-ever leadership summit of the grouping. Addressing the virtual summit*, Mr. Modi, President Joe Biden of the United States, Japanese Prime Minister Yoshihide Suga and Australian Prime Minister Scott Morrison highlighted cooperation among the member countries to beat the global pandemic, with joint partnership on vaccines and emphasised the need for an "open" and "free" Indo-Pacific region. "We are united by our democratic values and our commitment to a free, open and inclusive Indo-Pacific. Our agenda, covering areas like vaccines, climate change and emerging technologies, make the Quad a force for global good. We will work together, closer than ever before on advancing our shared values and promoting a secure, stable and prosperous Indo-Pacific," said Mr. Modi, who described the Quadrilateral framework as an "important pillar of stability in the region". The Quad members agreed to ensure "equitable" access to vaccines. *A joint statement issued after the summit said: "We will join forces to expand safe, affordable, and effective vaccine production and equitable access, to speed economic recovery and benefit global health."* Mr. Biden emphasised that the Indo-Pacific region should be governed in accordance with human rights. "And we're renewing our commitment to ensure that our region is governed by international law, committed to upholding universal values and free from coercion. We've got a big agenda ahead of us," Mr. Biden said. Mr. Morrison laid out the agenda of the Quad in the near future. "We join together as leaders of nations to welcome what I think will be a new dawn in the Indo-Pacific through our gathering," he said. Prime Minister Suga acknowledged the new dynamism that the Quad had received because of the meeting of the top leaders.

QUAD: STRATEGIC OPPORTUNITY OR QUAGMIRE? (TALMIZ AHMAD SERVED AS INDIAN AMBASSADOR TO SAUDI ARABIA, OMAN, AND THE UAE)

On March 5, the Indian media carried news reports, based on remarks by Australian Prime Minister Scott Morrison, that the Quadrilateral Security Dialogue, known briefly as Quad, would soon meet at summit level, thus signalling the importance attached to this grouping by the Biden administration. *The Quad, which comprises the U.S., Japan, Australia and India*, had in February been described by the U.S. State Department as having "essential momentum and important



potential". India's engagement with the *Quad goes back to China's expanding footprint in South Asia and the Indian Ocean Region over the last few years*. China's ambitious Belt and Road Initiative, proposing logistical connectivity across Eurasia and the Indian Ocean, rang alarm bells in India as the projects were viewed as encroachments into India's strategic space. India responded with an upgradation of its naval capabilities and enhancement of ties with the Indian Ocean Region littoral states and other major powers in the region. Separately, largely as a result of their shared concerns relating to the rise of China, India has been deepening its security ties with the U.S. Building on the initiatives of earlier administrations, the Obama and Trump presidencies focused on interoperability of defence equipment and training based on defence purchases, frequent land and sea exercises, and agreements harmonising the two countries' military doctrines and operations.

India in the Quad

The U.S.'s focus on the west Pacific due to aggressive Chinese maritime activity gradually pulled India into the ambit of the Indo-Pacific that views the western Pacific and the Indian Ocean as an integrated geopolitical space. Besides the U.S. navy, India expanded its maritime ties with other regional states, the most high-profile of the interactions being the Quad. *Since November 2017, the joint naval exercises of Quad members are being supplemented by extensive consultations on security issues. However, India's involvement with the Quad was initially cautious due to its reluctance to join an overt anti-China coalition*. For instance, at the Shangri La Dialogue in June 2018, Prime Minister Narendra Modi described the Indo-Pacific as a "geographical definition" and firmly denied it was a "strategy" or a "club of limited members ... directed against any country". Despite this, in September 2019, India agreed to elevate the Quad platform to ministerial level. This had dire consequences. By affiliating with the U.S.-led maritime coalition, India ignored the principal areas of its security concerns; as former National Security Adviser Shivshankar Menon noted, "New Delhi and Washington see eye to eye on maritime strategy, but not on what to do on the Asian mainland". India is the only Quad member that is not in the west Pacific and the only one that shares an undemarcated 3,500-km land border with China. From April 2020, Indian and Chinese forces had their latest border face-off in Ladakh, abruptly ending a long period of productive relations.

Ties with China

In retrospect, this confrontation appears to be China's sharp response to the steady shift in India's regional posture in favour of an alignment with the U.S. and its allies against China, particularly the increasing interoperability between the respective forces. China has given India a rude reminder that India's security concerns lie in its northern borders, not the west Pacific. The U.S. views China's rise as a threat to the world order it has led since the Second World War and is anxious to pull in allies to retard China's ambitions and maintain its global hegemony. Despite rhetoric relating to the promotion of a 'rules-based' world order (the rules being most frequently violated by the U.S. itself), the Quad neither shares a strategic vision nor is it animated by a shared agenda. This is obvious not only from its inability to deter China in the west Pacific, but also by its members' anxiety to maintain close ties with China. Thus, *in 2020 China became India's number one trade partner, with two-way trade at \$77 billion. Again, China-U.S. trade continues to favour China — American investors hold \$1 trillion of Chinese equity, and 75% of U.S. companies in China say they will continue to invest there*. The Quad has a core structural problem as well in that it pivots around the U.S. The U.S. is a super-power with global interests, but it is also self-centred in



defining and pursuing its interests, even as its policies experience major shifts due to government change or domestic lobbies. Clearly, the Quad riles China as a hostile grouping, but hardly serves the security interests of its members.

Resetting alignments, policies

Not surprisingly, the stand-off at Ladakh has been a bitter experience for India: it has affirmed the limits of India-U.S. security ties, the folly of Indian involvement in the Quad, and the need to focus national attention and resources in areas of abiding interest for India — the border, the neighbours and the Indian Ocean. Ladakh also offers some valuable lessons for India. One, the rebuilding of ties with China will have to be a priority concern. Though it will take time for trust to be restored, what will help will be for India to dilute its focus on the Indo-Pacific and the Quad and accept that the borders and the Indian Ocean are where its crucial interests lie. Two, the Ladakh experience has highlighted certain deficiencies at home: the government appears to be largely focused on reshaping the national ethos on the basis of a narrow and exclusive political ideology that has raised doubts about India's continued commitment to democratic pluralism. It hardly needs reiteration that India's capacities can only be built by a united people committed to the national cause. Finally, foreign policy cannot be a part-time concern of the national leadership; in terms of priority and attention, it should be on a par with domestic affairs. While this approach is being corrected, it should also be noted that India's foreign policy has often been ad hoc, reactive and short term, reflecting the absence of a broad strategic culture. As the global scenario gets more complex and India's ambitions increase, a cohesive strategic vision would give substance and drive to India's pursuit of its interests over the long term. Ladakh offers a clear blueprint for the content and direction of national policy. Implementing it will ensure that the martyrdom of our soldiers in the northern snows would not have been in vain.

INDIA, JAPAN SPACE AGENCIES REVIEW TIES

Indian and Japanese space agencies on Thursday reviewed cooperation in earth observation, lunar cooperation and satellite navigation, and also agreed to explore opportunities for cooperation in *“space situational awareness and professional exchange programme”*. This was agreed during a bilateral meeting between the *Indian Space Research Organisation (ISRO) and the Japan Aerospace Exploration Agency (JAXA) held virtually. “Both agencies signed an Implementing Arrangement for collaborative activities on rice crop area and air quality monitoring using satellite data,”* an ISRO statement said. *India and Japan are already working on a joint lunar polar exploration (LUPLEX) mission and the two space agencies have been working on the mission that aims to send a lander and rover to the Moon's south pole around 2024.* Early this month, *India and Italy decided to explore opportunities in earth observation, space science and robotic and human exploration.* Last month, *India and Australia signed an amendment to the MoU which will build on the Comprehensive Strategic Partnership. Both countries are also in discussions for Australia to host vital tracking infrastructure to support the Gaganyaan manned space flight mission.*

SUPPORT FOR MYANMAR RESISTANCE RISES

Amid reports of the increasing crackdown on protesters in neighbouring Myanmar, organisations in *Manipur and Nagaland have joined their counterparts in Mizoram in extending support to the*



civil disobedience movement (CDM) against the military junta. Officials in Mizoram said more than 50 people from Myanmar, including at least eight police personnel, have crossed over fearing punitive action by the Tatmadaw — *the Myanmar military* — *for opposing the coup that took place in February. Four northeastern States — Arunachal Pradesh, Nagaland, Manipur and Mizoram — not only share a 1,643-km border with Myanmar but also ethnic ties with groups across the border. The dominant Mizo community in Mizoram are ethnically related to the Chins in the adjoining Chin State across the border. The Chins are also related to the Kuki-Zomi group in Manipur. Myanmar also has several Naga communities with affinity to Nagas spread across Manipur, Nagaland and Arunachal Pradesh. “Martial law by means of military coup is direct horrendous suppression of people’s participation in a government... The international community regardless of any political, religious or ideological affinity must step in to restore normalcy in Myanmar and save lives due to the presence state-sponsored terrorism,”* Romeo Bungdon, working president of the *All Manipur Tribal Union (AMTU)*, said in his appeal to the *United Nations Security Council*. *The AMTU expressed solidarity with the people of Myanmar resisting the military and condemned the overthrow of a democratically elected government,* as did the *Tenyimi Students’ Union* in Nagaland. *Tenyimi is an umbrella group comprising 10 Naga communities.*

FRIENDS IN DEED

During a visit to Dhaka a few days ago, External Affairs Minister S Jaishankar’s efforts were focussed on underlining Bangladesh’s importance to India as a “key partner” not just in South Asia but in Delhi’s Look East policy, and in the wider Indo-Pacific region. *Jaishankar undertook the visit to prepare the ground for Prime Minister Narendra Modi’s visit on March 26, for the centenary celebrations of Father of the Nation, Mujibur Rehman. This year also marks two other anniversaries — the 50th year of Bangladesh’s liberation from Pakistan in which India played a crucial part, and 50 years of India-Bangladesh diplomatic relations.* An enormous reserve of goodwill for India exists in Bangladesh for these historical reasons, as well as the strong cross border linguistic and cultural links. But Delhi needs to stop taking the goodwill for granted. *In recent years and months, controversial references to Bangladesh and its people in domestic discourse by senior members of the BJP, particularly during elections, and after the citizenship amendment law was enacted, have cast shadows on ties. Foreign Secretary Harsh Shringla’s Dhaka visit last year, and the participation of a Bangladesh Army contingent in the Republic Day parade this year, were the first signs after months that damage control efforts were underway. India also sent 2 million vaccine doses to Bangladesh, the largest consignment sent to any country abroad.* Jaishankar pointed to “practical progress on the ground” — *a trial run of container cargo through Bangladesh’s Chattogram (Chittagong) port to Agartala; two new protocol routes to inland waterways connecting Tripura to Bangladesh national waterways, handing over 10 broad gauge locomotives, commencing movement of container and parcel trains and forming a joint venture in the energy sector. The two sides, he said, were “working so hard to expand our relationship to whole dimensions, ranging from security, trade, transport and connectivity, culture, people to people ties ensuring development of our shared resources”.* Among those shared resources are the *waters of the river Teesta*. Sharing these waters with Bangladesh has been a long-pending promise by Delhi to Dhaka. But PM Sheikh Hasina, who has an excellent rapport with key figures on the Indian side, has watched Delhi struggle to deliver on this promise, and has had to take domestic flak on the issue. Today’s Bangladesh is basking in a new self-confidence because of its spectacular economic performance even during the pandemic. Its social welfare indicators are better on some counts than India’s. The road to



improving relations with Bangladesh does not lie through the commerce or water resources department alone. And as West Bengal goes to polls, the loosely framed poll slogans of star campaigners will be tracked. It does not bode well that the Home Ministry has chosen this moment to start rounding up Rohingya refugees for “deportation”. The government needs to be constantly mindful of the significance of this year for the relationship with Bangladesh. Else, it may be all too easy to lose the moment and pave the way for China’s inroads in the region.

CHINA GIVES GREEN LIGHT FOR FIRST DOWNSTREAM DAMS ON BRAHMAPUTRA

A draft of China’s new Five-Year Plan (2021-2025), which is set to be formally approved on Thursday, has given the green light for *the first dams to be built on the lower reaches of Yarlung Zangbo river, as the Brahmaputra is known in Tibet before it flows into India. The draft outline of the new Five-Year Plan (FYP) for 2025 and “long range objectives through the year 2035”*, submitted before the National People’s Congress (NPC), China’s ceremonial legislature, on Friday, specifically mentions the building of hydropower bases on the lower reaches of the river as among the priority energy projects to be undertaken in the next five years. The lower reaches refer to the sections of the river in Tibet before it flows into India.

Fresh exploitation

The inclusion of the projects in the draft plan suggests the authorities have given the go-ahead to begin tapping the lower reaches for the first time, which marks a new chapter in the hydropower exploitation of the river. The FYP’s backing for the projects also suggests that a number of long-pending proposals from Chinese hydropower companies to build dams on the lower reaches, including near the border with India, may be given the green light. The draft plan will be formally approved before the NPC session ends on Thursday. The final version is unlikely to have major changes as the largely ceremonial and Communist Party-controlled legislature rarely overhauls the proposals sent before it. On the top of a list of energy construction projects for the next five years, mentioned on page 30 of the 142-page draft document in Mandarin — it has not yet been published in English — calls for “building a hydropower base on the lower reaches of *Yarlung Zangbo river*”, along with “*clean energy bases*” in the upper and lower reaches of Jinsha river (the upper course of Yangtze river in western China). Other major projects include the construction of coastal nuclear power plants and power transmission channels.

Infrastructure strategy

The high importance given to building dams on the “lower reaches” of the Yarlung Zangbo is underlined in the plan, where it is also mentioned on page 38 of the document among significant planned investments in infrastructure that serve major national strategies. *The project is also listed along with the Sichuan-Tibet railway and the national water network. China’s media reported in November that State-owned hydropower company POWERCHINA had signed “a strategic cooperation agreement” with the Tibet Autonomous Region (TAR) government to “implement hydropower exploitation in the downstream of the Yarlung Zangbo River”*. In 2015 China operationalised *its first hydropower project at Zangmu in Tibet, while three other dams at Dagou, Jiexu and Jiacha are being developed, all on the upper and middle reaches of the river*. While POWERCHINA is not the first hydropower company to push for dams downstream and previous plans did not pass technical feasibility studies because of concerns over the environmental impact,



the inclusion of the projects in the draft FYP suggests a high-level sanction has been given. Yan Zhiyong, POWERCHINA's chairman, told a conference of the China Society for Hydropower Engineering last year "there is no parallel in history" to the plans and the downstream reaches of the river offered "a historic opportunity for the Chinese hydropower industry". Mr. Yan did not mention the location of the planned project but spoke about the particular potential offered at the *"Great Bend" of the Brahmaputra and at the Yarlung Zangbo Grand Canyon in Medog county, where the river falls over a 2,000 metre-drop and turns sharply to flow across the border into Arunachal Pradesh*. India has expressed concerns to China over the four planned dams on the upper and middle reaches, though Indian officials have said the dams are not likely to greatly impact the quantity of the Brahmaputra's flows in India because they are only storing water for power generation, and the Brahmaputra is not entirely dependent on upstream flows with an estimated 35% of its basin in India. Dams on the lower reaches and at the Great Bend would, however, raise fresh concerns because of the location across the border from Arunachal Pradesh and the potential impact downstream. Mr. Yan said the 50-km section at the Great Bend alone offered the potential of 70 million kWh "which equals more than three Three Gorges power stations" and "will play a significant role in realising China's goal of reaching a carbon emissions peak before 2030 and carbon neutrality in 2060", a target mentioned by Premier Li Keqiang on Friday at the opening of the NPC and also highlighted in the draft outline.

TARGET JUDICIAL PATRIARCHY, NOT THE JUDGE (FAIZAN MUSTAFA - VICE-CHANCELLOR, NALSAR UNIVERSITY OF LAW, HYDERABAD)

The controversy over the CJI's recent remarks should lead to greater gender sensitivity in observations and judgments

A survey by the Thomson Reuters Foundation in 2018 had rated India as the most dangerous country for women. According to a National Crime Records Bureau report (2019) as many as *32,032 rapes were reported in 2019 — or 88 incidents of rape a day.* Every hour, *39 instances of crime against women including four instances of rape are committed in India.* Reported rape cases have increased by 88% over a decade. Four lakh cases of crimes against women were reported in 2019 (<https://reut.rs/20D76xi>).

Gender insensitivity

The recent observations by the Chief Justice of India (CJI), S.A. Bobde, while granting bail to a government servant who is accused of repeated rape and torture of a 16-year-old child have been widely criticised though the *Chief Justice of India has now denied having suggested marriage to the rape accused. To be fair to the head of India's judiciary, not only was the question possibly raised due to the record before him in accordance with the powers of judges under Section 165 of Indian Evidence Act, 1872 to ask any question but he also did promptly realise the sensitivity involved and quickly corrected himself by saying, 'we are not forcing you to marry the victim'. The worrisome issue is that legally speaking, rape is not even a compoundable offence and parties are not allowed to enter into compromise. Seeking an apology from the Chief Justice of India is not appropriate; however, South African Chief Justice Mogoeng Mogoeng was recently directed by the Judicial Conduct Committee to apologise unconditionally for making pro-Israeli comments in a webinar. The real problem is that such avoidable utterances reflect the patriarchal mindset of our judges and the larger*



society. These statements demonstrate our gender insensitivity. While today the Chief Justice of India is being criticised from all over, let us remember that there have been several orders and judgments by Indian judges in the past which have done huge disservice to gender justice. Accordingly, the innocent question by the Chief Justice of India (“When two people are living as husband and wife, however brutal the husband is, can the act of intercourse between them be called rape?”) is neither the first nor the last instance. Here, in this instance, the man had married the victim at a temple and subsequently refused to recognise her as wife and married another woman. The accused had allegedly caused injuries to the private parts of the woman, yet was granted bail. Here again, what the Chief Justice of India said was similar to the Modi government’s affidavit, in 2017, in the Delhi High Court. The RSS too had opposed marital rape being made a crime. Interestingly, the Justice J.S. Verma Committee (2013), which was constituted after the Delhi gang rape (2012) had said that rape should be viewed not as an infringement of a woman’s chastity or virginity but a violation of her bodily integrity and sexual autonomy. This autonomy cannot be permanently lost by entering into marriage. Rape remains rape irrespective of the relationship.

In the higher judiciary

Let us look at similar observations by other judges to understand the patriarchal attitude of judges. A few years ago, *the top court orally asked a convict who had molested a girl 10 years ago to fall at her feet and that if she forgave him, the Court too would limit his sentence of imprisonment to the period already undergone.* In its June 22, 2020 order while granting advance bail to the rape accused, Justice Krishna S. Dixit of the Karnataka High Court asked why ‘the victim had gone to her office at night’; why had she ‘not objected to consuming drinks with him’. He further observed that ‘the explanation offered by the complainant that after the perpetration of the act, she was tired and fell asleep is unbecoming of Indian women; that is not the way our women react when they are ravished’. After a hue and cry, the judge expunged this controversial statement on July 2, 2020. *The Nagpur Bench of the Bombay High Court, in a strange ruling, had ordered that the sentence of the ‘rape convict can be cut if he agrees to pay ₹1 lakh to the victim’.* Of course, the poor victim accepted the offer. In another case, *the Bombay High Court had ordered that breaking a promise of marriage is neither cheating nor rape.* Here, the victim had filed for divorce from her husband to marry the accused. Justice Mridul Bhatkar granted bail to the accused observing that ‘it is an unfortunate case of frustrated love affair’. *The Madras High Court had granted bail to a rape accused so that he could mediate with the victim. The Supreme Court had to quickly intervene to get the bail cancelled.*

The Bhanwari Devi case

Who can forget the shocking decision in Bhanwari Devi (1995); she was gang-raped in 1992. The acquittal order by the Rajasthan court gave absurd reasons such as a higher caste man cannot rape a lower caste woman for reasons of purity; her husband could not have watched his wife being raped; men who are 60-70 years old cannot commit rape and one relative cannot commit rape in front of another relative. It has been 25 years but the appeal against such a bizarre judgment has not been disposed of. Even in other matters about women, a few of our judges at times demonstrate our society’s attitude toward women. *A 2020 judgment from the Guwahati High Court treated refusal of applying sindoor (vermilion) and wearing conch shell bangles (shaka) as sufficient basis to grant divorce to the husband.* A few years ago, the Madras High Court gave an absurd order by directing that ‘divorcees too should maintain sexual purity to claim alimony’. Even a progressive judge like



Justice M. Katju in D. Velusamy vs D. Patchaiammal (2010) had termed a second Hindu wife as a 'mistress' and 'keep', and thus not entitled to maintenance. In Narendra vs K. Meena (2016), the top court held that under Hindu traditions, a wife on marriage is supposed to fully integrate herself with her husband's family and that if she refuses to live with her in-laws, it would amount to cruelty and the husband would be entitled to divorce her under the Hindu Marriage Act. The High Court had ruled in favour of the wife. But the Supreme Court reversed the High Court's order, observing that 'in India, generally people do not subscribe to the western thought, where, upon getting married or attaining majority, the son gets separated from the family. In normal circumstances, a wife is expected to be with the family of the husband after the marriage. She becomes integral to and forms part of the family of the husband'. Interestingly, though the wife is an integral part of her husband's family, yet she is not a coparcener under the Hindu Succession Act. The Court also used Indian and Hindu ethos interchangeably without realising that under Muslim Personal Law, a wife has an absolute right to demand separate residence for herself. In Rajesh Sharma vs The State Of Uttar Pradesh (2017), a two judge Bench of Justices Adarsh Kumar Goel and Uday Umesh Lalit in yet another controversial order observed that there should be no automatic arrests on charges of cruelty. In this case, a demand of dowry was made for ₹3 lakh and a car, which the wife's family was not able to meet. The pregnant wife was sent to her house, where she experienced trauma and her pregnancy was terminated. She was allegedly tortured, as noted by the lower court. An offence under Section 498A is non-bailable and non-compoundable so that the victim is not pressured into a compromise. And it is cognisable in that a police officer can make an arrest without a warrant from the court. The court did not hesitate in issuing a number of directions in favour of the accused — no arrest should normally be effected till the newly constituted Family Welfare Committee submitted its report; personal appearance of accused and out-station family members need not be insisted upon; bail application should be decided the same day. In 2017, the court decided to review this judgment.

And in 'Hadiya'

In the infamous Hadiya (2017) case too, some of the observations of the Kerala High Court about Hadiya's independent agency and powers of her father over her were equally shocking and patriarchal. Even though the Supreme Court in 2018 upheld the validity of her marriage and overruled the High Court's strange judgment, the fact is that the top court's order of investigation by the National Investigation Agency into the matter of marriage of two adults was absolutely erroneous. One hopes the controversy now will lead to greater gender sensitivity by our judges, at least in their oral observations and questions, if not the final judgments. It would be better to target patriarchy rather than the Chief Justice of India. Of course the power to ask questions too must reflect gender sensitivity.

COMPENSATE THOSE ACQUITTED UNDER UAPA

A local court in Surat acquitted 122 persons arrested under the Unlawful Activities (Prevention) Act for participating in a meeting organised in December 2001 as members of Students' Islamic Movement of India (SIMI), a banned outfit. After their acquittal, some of the accused, and also activists from the minority community, demanded that they be compensated for being "illegally framed by the police" without any evidence against them. "Many of them spent years in jail while facing trial ... They should be compensated," an activist belonging to the minority community said. Five of the accused had died during the trial. After protracted legal proceedings, the court of Chief



Judicial Magistrate A.N. Dave acquitted the 122 persons as the prosecution failed to produce substantive evidence linking them with the proscribed outfit. During the trial, the accused had denied being members of SIMI and submitted that they had gathered to participate in a seminar organised under the banner of All India Minority Education Board.

KERALA HC RESTRAINS CENTRE ON IT RULES

The Kerala High Court on Wednesday restrained the Centre from taking coercive action against Live Law Media Private Ltd., which owns a legal news portal, for not complying with Part III of the new IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The court issued notice to the Centre on a petition filed by the firm challenging the rules regulating digital news media, curated content (OTT platforms), and social media intermediaries. When the petition came up, counsel for the Centre submitted that there was time till March 24 for complying with the rules. The petition said Part III of the rules imposed an unconstitutional three-tier complaints and adjudication structure on publishers.

'Chilling effect'

This administrative regulation on digital news media would make it virtually impossible for small or medium-sized publishers, such as the petitioner, to function. It would have a chilling effect on such entities, the petition said. The creation of a grievance redressal mechanism, through a governmental oversight body (an inter-departmental committee constituted under Rule 14) amounted to excessive regulation, it contended. The petitioner pointed out that Rule 4(2), which makes it mandatory for every social media intermediary to enable tracing of originators of information on its platform, purportedly in furtherance of Section 69 of the IT Act, violated Article 19(1)(a) (freedom of speech and expression). It also deprived the intermediaries of their "safe-harbour protections" under Section 79 of the IT Act. The petition also added that the rules obligating messaging intermediaries to alter their infrastructure to "fingerprint" each message on a mass scale for every user to trace the first originator was violative of the fundamental right to privacy of Internet users.

GOVT. BLOCKED OVER 9,800 URLS

The government blocked over 9,800 URLs, accounts and web pages in 2020, an increase of about 170% from 2019, under Section 69A of the Information Technology Act, 2000. In a written reply to Lok Sabha, Electronics and IT Minister Ravi Shankar Prasad said, wherever the situation warrants, under the provision of section 69A of the Information Technology Act, 2000, the government blocks unlawful and malicious online content. He added under this provision, 9,849 URLs/accounts/web pages were blocked in 2020, up from 3,603 URLs/accounts/web pages in 2019.

NOW, AN EXPANDED HORIZON OF SURVEILLANCE (MIRA SWAMINATHAN - PUBLIC POLICY LAWYER BASED IN DELHI)

This year, the Indian Cyber Crime Coordination Centre (I4C), under the Ministry of Home Affairs (MHA), launched the Cyber Crime Volunteers Program with the aim to allow citizens to register



themselves as “Cyber Crime Volunteers” in the role of “Unlawful Content Flaggers”. As per the official website of the National Cyber Crime Reporting Portal (<https://bit.ly/2O2yaq6>), the programme will help law enforcement agencies in identifying, reporting and in the removal of illegal/unlawful online content. The programme, which will be launched all over the country, is going to have its test run in Jammu and Kashmir and Tripura.

An explainer

This form of surveillance, which enables citizens to “watch over” one another is called lateral surveillance. The conventional understanding of the term, surveillance, is its use in the hierarchical sense, i.e. the vertical relationship between the person watching and the person being watched, which is usually the state and its citizenry. Lateral or social or peer-to-peer surveillance differs from typical surveillance. While surveillance of any kind shows an imbalance of power between the person who surveils, and the one under surveillance, lateral surveillance specifically ensures that the imbalance of power no longer exists. Informal watching of communities by their members has been an age-old part of society, and its members view it as a harmless activity. The problem arises when it is organised and state-sponsored. In the 1970s, the United States had the neighborhood watch schemes which increased community policing. With the introduction of technology and development of applications such as Citizen and Nextdoor, monitoring of people and their behaviour has become easier. Further, government and private sector institutions alike collect swathes of data for supposedly ‘public functions’. Specifically in the sphere of crime prevention, much like the cyber crime prevention programme, there has been a transition in the outlook from a ‘punishing state’ to a ‘preventive state’.

Its extent in India

This is not the first time state-sponsored lateral surveillance has been implemented in India. For example, the C-Plan App in Uttar Pradesh launched for keeping a tab on anti-social elements, is designed to receive inputs from certain identified individuals in villages across the State. These individuals have been given the responsibility to solve local problems such as providing information about simmering communal tensions or land disputes taking place in their respective villages through the mobile application. The scope of lateral surveillance was greatly expanded during the pandemic lockdown, both with and without the introduction of technology. The Karnataka government released a PDF with the names and addresses of around 19,000 international passengers who were quarantined in Bengaluru while in the North, a woman was harassed and boycotted by her neighbours after the Delhi government marked her house with a quarantine sticker.

Tool for exclusion, suspicion

If a pattern were to be drawn, one notices that lateral surveillance is used to further emotional objectives such as community building and strengthening relationships with neighbours where emotional and social factors act as a driving force, thus creating a situation where privacy may be undermined for the betterment of the community. However, surveillance technologies not only act as a tool for social control but also as a tool for social exclusion. Lateral surveillance thus makes it easier to discriminate between those who conform to the social norms of the majority. For example, the LGBT community in South Korea came under the scanner after a cluster of novel



coronavirus cases were reported from a particular area which had resulted in large-scale circulation of homophobic content and comments against the patients who tested positive from the community. This not only made it difficult for authorities to collect information but also increased troubles for the people belonging to the sexual minority in getting themselves tested. *State-sponsored lateral surveillance is harmful as it creates a culture of 'hate', 'fear' and 'constant suspicion' against an 'enemy'. Wherever the state identifies that it "cannot be everywhere", it deploys this mechanism. This culture places a duty on people to 'keep an eye out' for 'their own safety' and this heightens the fear of crime in society. Such perceived threats have a tendency to increase intolerance, prejudice, xenophobia and casteism in our society, while also violating the fundamental right to privacy, and, consequently, the unfettered expression of free speech and behaviour.*

In policy

Despite the potential harm, the government, on February 25, notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (<https://bit.ly/3kRdwoC>) which intends to expand "due diligence" obligations by intermediaries. However, this not only substantially increases surveillance but also promotes lateral surveillance. For example provisions pertaining to user directed take downs of non-consensual sexually explicit content or 'any other matters' and even the harsh content take down/data sharing timelines will enable intermediaries to remove or disable access to information within a short period of time of being notified by users, circumventing the "actual knowledge" doctrine given in Shreya Singhal vs Union of India. This will further create an incentive to take down content and share user data without sufficient due process safeguards, violating the fundamental right to privacy and freedom of expression. *One wonders how long it would be before a neighbour with a "passion to serve the nation on a single platform and contribute in [the] fight against cybercrime in the country" reports you or me on a social media platform or otherwise.*

SCOPE FOR SCANDAL

It is quite regrettable that politicians are often hit by scandals arising from leaked footage purportedly showing them in intimate proximity with women. The latest episode involves former Karnataka Minister Ramesh Jarkiholi, who resigned in the wake of visuals allegedly showing him in such a situation. Speculation about the existence of more such compact discs that could surface in the media has resulted in a lawyer and BJP member obtaining *an interim High Court order, that media organisations should abide strictly by the Programme Code prescribed under the Cable Television Networks (Regulation) Act.* About 70 media organisations, including television channels, social media platforms, digital media outlets and newspapers have been arrayed as respondents. The order is unexceptionable. The broadcast media are expected to conform to the Code. However, when such an omnibus order is passed, it could become a tool of harassment. Under the Act, district magistrates, sub-divisional magistrates and police commissioners are the 'authorised officers' to ensure that the Programme Code is not breached. The Bengaluru Police Commissioner has also issued an order prohibiting the broadcasting of anything that breaches the Code. *The Code, which is part of the Cable Television Network Rules, is widely worded. For instance, anything that offends good taste or decency, or amounts to criticism of friendly countries, are violations.* It also considers defamation, half-truths and innuendo as potential violations. In the absence of judicial orders, it may be unsafe to leave such matters to the discretion of the 'authorised officer'.



A key consideration to decide on the content of any broadcast that may be controversial is whether it touches upon any public interest. In this case, it is not merely the private moment of a serving Minister, but his public conduct that is under scrutiny — for *the allegation is that he had promised a job to a woman in exchange for sexual favours. That he and others said to be contemplating preventive legal action against the future release of such footage were defectors who brought about the fall of the JD(S)-Congress government not long ago, would impart the episode with a deeper cause for a thorough investigation.* Of course, *in the absence of any complaint from the woman, or even any knowledge about her, it is difficult to prove any wrongdoing.* And not even public interest can justify a flagrant breach of privacy of anyone, or the depiction of women in a derogatory manner. But sections of the media may have considered that there is enough public interest to draw attention to the footage, even if they had no intention to air it. The onus is on media outlets to show discretion in dealing with such 'leaks'. Greater discretion may be warranted for political leaders, especially those with a record of political dishonesty, for it is difficult to blame the public if they expect the worst of them.

BEFORE RAHUL GANDHI: WHEN SONIA, MANMOHAN AND PRANAB SPOKE OF EMERGENCY

On Tuesday, Congress leader Rahul Gandhi said the Emergency imposed in 1975 by then PM Indira Gandhi, his grandmother, was “wrong” and a “mistake”. It is a topic that Congress leaders largely avoid mentioning, but there have been exceptions over the years.

Sonia Gandhi

Congress president Sonia Gandhi herself had spoken about it in May 2004, during a Walk the Talk conversation with senior journalist Shekhar Gupta for NDTV 24x7. Recounting her memories of the Emergency, she said: “Well my mother-in-law herself, after she lost the election, she did herself say that... she had a rethink on that. And the very fact that she declared the election means that she had a rethink on the Emergency,” she said. Asked whether she felt Indira thought it was a mistake, Sonia said: “I think she did think that it was a mistake. Because don’t forget that at least the Indira Gandhi I knew was a democrat at heart, to the core. And I think circumstances compelled her to take that action but she was never quite at ease with it.” Asked if it was a lesson that no government should do it again, she said: “Yes, certainly,” but added “those were different times”.

Congress history volume

In 2011, the fifth volume of Congress history, marking 125 years of the party, was brought out by a group of historians headed by the late Pranab Mukherjee. In the preface, Mukherjee says the party desired the volume to be edited and contributed by experts in order to generate an “objective and scholarly perspective for the period under review” and “not necessarily have a party perspective”. “There is no question that emergency was a sordid chapter in independent India’s history and a 19-month nightmare for all those who lived through it... it took an excruciatingly long time to flush out of the body politic the emergency had pumped into the system,” columnist Inder Malhotra writes in his article, ‘Indira Gandhi: an overview’. “Since all her confidants, especially her increasingly powerful son Sanjay had ruled out her withdrawal from office ‘even for a day’, the hammer blow of emergency and Indira’s monumental mistake had become inevitable... Sanjay

3RD FLOOR AND 4TH FLOOR SHATABDI TOWER, SAKCHI, JAMSHEDPUR



and his cohorts had made elaborate preparations for Emergency in total secrecy,” Malhotra writes. In another chapter, *‘JP Movement and the Emergency’*, historian Bipan Chandra writes that Emergency centralised and concentrated unlimited state and party power in the hands of the Prime Minister to be exercised in an “authoritarian manner” through a small coterie of politicians and bureaucrats. “Having emasculated Congress party and having no other organisation to rely upon (Indira) Gandhi, the central and state governments depended almost entirely on bureaucracy and police both for routine administration of the 20-point programme and family planning programmes,” Chandra writes.

Jyotiraditya Scindia

In 2015, then Congress leader Jyotiraditya Scindia (now with BJP) made remarks similar to what Rahul said this week — that the imposition of Emergency was a “mistake” and what happened during the period was “wrong.” “What happened in Emergency is wrong. Let us not go back and forth on it. What happened in the Sikh riots is wrong. Any loss of life in this country irrespective of which government is in power, we need to come out and say what is right is right and what is wrong is wrong,” Scindia said. “I think the Emergency was a mistake for our country. Period.”

Manmohan Singh

In 2014, former Prime Minister Manmohan Singh’s daughter Daman Singh came released her book, *Strictly Personal: Manmohan and Gursharan*, in which she quotes Singh as having said the Emergency came as a surprise to him. “Well, it was a surprise. There had been unrest, but nobody expected that Mrs Gandhi would go that far,” she quotes him as saying. And: “I think there was a lot more emphasis on punctuality, on discipline. So some good things happened. But I think the atmosphere in the whole country was one of fear. There were arbitrary arrests and detentions.” Singh recalled that there was a “lot of unrest in the country, particularly due to the way the family planning programme — the sterilisation programme — was implemented in some of the northern states and in Delhi”. He felt Sanjay Gandhi was the most important “extra-constitutional authority”.

Pranab Mukherjee

The same year, *Pranab Mukherjee came out with his book The Dramatic Decade: The Indira Gandhi Years*. He called the Emergency a misadventure. Mukherjee writes that *Emergency was an “avoidable event” even though it brought with it some major positive changes like discipline in public life, a growing economy, controlled inflation, a reversed trade deficit for the first time, enhanced developmental expenditure and a crackdown on tax evasion and smuggling*. “Suspension of fundamental rights and political activity (including trade union activity), large scale arrests of political leaders and activists, press censorship, and extending the life of legislatures by not conducting elections were some instances of Emergency adversely affecting the interests of the people. The Congress and Indira Gandhi had to pay a heavy price for this misadventure,” Mukherjee writes. *“It is believed that Siddhartha Shankar Roy played an important role in the decision to declare the Emergency; it was his suggestion, and Indira Gandhi acted on it. In fact, Indira Gandhi told me subsequently that she was not even aware of the constitutional provisions allowing for the declaration of a state of Emergency on grounds of internal disturbance, particularly since a*



state of emergency had already been proclaimed as a consequence of the Indo-Pak conflict in 1971," he writes.

REVISITING THE QUOTA TEMPLATE

The Supreme Court, while examining the constitutional validity of the Maratha reservation, said on Monday that it will look into whether the landmark 1992 decision in Indra Sawhney v Union of India needs to be revisited. The potential reconsideration of the 11-judge ruling, popularly referred to as the Mandal case, could alter the structure of reservations that has been in place for decades.

Why is the Supreme Court considering revisiting the Mandal case?

A Constitution Bench headed by Justice Ashok Bhushan is currently hearing the challenge to the Maharashtra law providing quotas for Marathas in jobs and admissions in the state. While the *Bombay High Court had upheld the constitutional validity of the quota, it said the quota should be reduced from 16% to 12-13%, as recommended by the State Backward Classes Commission. The ruling was challenged before a Supreme Court Bench, which referred it to a larger Constitution Bench.*

What is under challenge in the Maratha quota?

There are two main constitutional questions for the court to consider in the challenge to the Martha quota law. *First, is whether states can declare a particular caste to be a socially and educationally backward class. The second is whether states can breach the 50% ceiling for "vertical quotas" set by the Supreme Court.*

What is the Indra Sawhney case that the Bench has referred to?

In 1979, the Second Backward Classes Commission (Mandal Commission) was set up to determine the criteria for defining the socially and educationally backward classes. The Mandal report identified 52% of the population at that time as "Socially and Economically Backward Classes" (SEBCs) and recommended 27% reservation for SEBCs in addition to the previously existing 22.5% reservation for SC/STs. In 1990, when the V P Singh led-government set out to implement the Mandal report, it was challenged in court amidst widespread protests against the move. The case came up before a nine-judge Bench and a 6:3 verdict was delivered in 1992.

What did the verdict say?

The court upheld the office memorandums that essentially implemented the Mandal report. The majority opinion, penned by justice Jeevan Reddy, said the executive orders mandating 27% reservation for backward castes were valid and that the reservation was made not just on the basis of caste, even if it appears so, but on the basis of objective evaluation of social and educational backwardness of classes, which is the criteria previously laid down by the court. "To conclude, though prima facie the list of Backward Classes which is under attack before us may be considered to be on the basis of caste, a closer examination will clearly show that it is only a description of the group following the particular occupations or professions, exhaustively referred to by the Commission. Even on the assumption that the list is based exclusively on caste, it is clear from the materials before the Commission and the reasons given by it in its report that the entire caste is socially and educationally



backward and therefore their inclusion in the list of Backward Classes is warranted by Article 15(4). The groups mentioned therein have been included in the list of Backward classes as they satisfy the various tests, which have been laid down by this Court for ascertaining the social and educational backwardness of a class,” the court said. The landmark Indra Sawhney ruling set two important precedents. First, it said that the criteria for a group to qualify for reservation is “social and educational backwardness”. Additionally, the court also reiterated the 50% limit to vertical quotas it had set out in earlier judgements in 1963 (M R Balaji v State of Mysore) and in 1964 (Devadasan v Union of India), reasoning that it was needed to ensure “efficiency” in administration. The court said this 50% limit will apply — unless in “exceptional circumstances”. While the social and educational backwardness criteria stemmed from interpretation of various constitutional provisions, the 50% limit is often criticised as being an arbitrary limit.

How does the Maratha reservation relate to the Indra Sawhney case?

Based on the 102nd Amendment to the Constitution, which gives the President powers to notify backward classes, the court will have to look into whether states have similar powers. Also, since this power flows from the Constitution, whether the President is still required to comply with the criteria set by the Supreme Court in the Mandal case. The relevance of the Indra Sawhney criteria is also under question in another case in which the validity of the 103rd Amendment has been challenged. The 103rd Amendment, passed in 2019, provides for 10% reservation in government jobs and educational institutions for the economically weaker section in the unreserved category. Similar to the Maratha issue are the cases of Patels in Gujarat, Jats in Haryana, and Kapus in Andhra Pradesh. Additionally, with the implementation of the Maharashtra law, the vertical quota in the state could go up to 68% which was earlier 52% before the passing of the law. This aspect will also come under question. Since the Indra Sawhney verdict gives a pass to breach of the 50% quota rule only in exceptional circumstances, the court will have to test if the Maharashtra law qualifies to be an exception.

Have any other states breached the 50% ceiling before?

States have breached the 50% ceiling before and intend to bring more reservation. A notable example is Tamil Nadu. The Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in Educational Institutions and of Appointments or Posts in the Services under the State) Act, 1993, reserves 69% of the seats in colleges and jobs in the state government. However, this was done by amending the Constitution, to place the law in the Ninth Schedule after the Indra Sawhney judgment. The Ninth Schedule provides the law with a “safe harbour” from judicial review under Article 31A of the Constitution. Laws placed in the Ninth Schedule cannot be challenged for reasons of violating any fundamental right protected under the Constitution. However, when the Tamil Nadu law was challenged in 2007 (I R Coelho v State of Tamil Nadu), the Supreme Court ruled in a unanimous 9-judge verdict that while laws placed under Ninth Schedule cannot be challenged on the grounds of violation of fundamental rights, they can be challenged on the ground that it violates the basic structure of the Constitution. A later Bench was to decide whether the Tamil Nadu law itself (breaching the 50% ceiling) violates basic structure, based on the I R Coelho verdict. The Bench has not yet been set up.



AN ALARMING DIKTAT

Haryana Governor Satyadeo Narain Arya's assent to a law regulating private sector hiring portends a potentially perilous slide in India's investment climate and its socio-economic framework. The Haryana State Employment of Local Candidates Act of 2020 seeks to ensure that 75% of all jobs with gross monthly salaries of up to ₹50,000 are provided to the State's own residents. The clamour for preserving economic activity for 'sons of the soil' is a recurrent theme now — Andhra Pradesh (AP) had passed a similar law in 2019, and the Madhya Pradesh CM has promised one to reserve 70% private sector jobs. Haryana's law could face legal challenges like AP's did, as it ostensibly flies in the face of the Constitution, especially Article 19(1)(g) and Article 16(2). Operationally, the law imposes onerous and contentious responsibilities on key personnel of firms in the State, including those with as few as 10 employees. There are three critical action points for businesses, attached to severe monetary penalties for perceived non-compliance. They need to register every employee earning ₹50,000 on an official portal and employing 75% of locals in such jobs (presumably by removing existing non-Haryanvi employees beyond the 25% limit). Most preposterous is seeking exemptions to the law — firms can hire outsiders by proving that local candidates for a desired skill are not available. Apart from the power to enter firms' premises for inspections, officials will decide if a firm can hire an outsider or should train local candidates instead, till they become proficient enough. Even if this harks back to an 'Inspector Raj' system, the process would dissuade employers from operating in the State, thus defeating the idea of boosting local jobs when unemployment is running high. But this is not just about 'Happening Haryana' becoming a difficult place to do business. A single disruption in the Gurgaon back office operations of a global firm or the supplies of auto components, on account of the new law, would be damaging to India's already fragile reputation as a stable, trustworthy investment destination with a talented workforce. A possible investor exodus aside, this runs counter to the Prime Minister's 'Ek Bharat Shreshtha Bharat' and 'One Nation One Market' slogans. Rising unemployment could spur more States to follow suit, and the logic could be extended to internal capital flows next. Bihar CM Nitish Kumar has already pointed out that Bihar's deposits into the banking system are not matched by credit disbursements into the State. It is time the Centre dissuades such legislation which threatens to not only unleash a sort of 'work visa' regime for Indians within the country but also damage crucial workplace diversity. Immobilising a much-vaunted young workforce and rupturing the social fabric with this push for insularity would be the start of an unstoppable slide.

ONLY NRI QUOTA SEATS FOR OCI CARDHOLDERS

The Ministry of Home Affairs (MHA) has reiterated through a gazette notification that Overseas Citizens of India (OCI) cardholders can lay claim to "only NRI (Non Resident Indian) quota seats" in educational institutions based on all-India entrance tests such as National Eligibility cum Entrance Test (NEET), Joint Entrance Examination (Mains), Joint Entrance Examination (Advanced) or other such all-India professional tests. The notification also reproduced a part of the guidelines issued by the Ministry on November 15, 2019 regarding benefits to OCI cardholders, which said that OCIs are not entitled to undertake any "missionary, mountaineering, journalism and tabligh activities" without prior permission of the Government of India. The notification provides legal teeth to the guidelines. The notification says that the OCI cardholder shall be required to obtain a "special permission or a special permit" from the competent authority or the Foreigners Regional



Registration Officer (FRRO) or the Indian Mission “to undertake research, Missionary or Tabligh or Mountaineering or Journalistic activities, undertake internship in any foreign diplomatic missions or foreign Government organisations in India or employment in any foreign diplomatic missions in India and visit any place which falls within the Protected or Restricted or prohibited areas as notified by the Central Government or competent authority”. *OCI citizens are of Indian origin but they are foreign passport holders and are not citizens of India. India does not allow dual citizenship but provides certain benefits under Section 7B(1) of the Citizenship Act, 1955 to the OCIs. The fresh notification replaces three previous notifications issued on the subject on April 11, 2005; January 5, 2007; and January 5, 2009, respectively.* The previous notifications did not specify the special permission required for “missionary, Tabligh, mountaineering or journalistic activities” and were merely part of the November 2019 guidelines.

Petitions filed

A Ministry official said that several OCI cardholder students have filed petitions in courts that they are eligible to get admission against general seats in medical, engineering and other government colleges if they clear the all-India tests. In March 2019, the MHA clarified to the Karnataka High Court that students with OCI cards had “parity with Non-Resident Indians (NRIs) and can lay claim only on the NRI quota seats based on the all-India tests”. However on December 15, 2020, the High Court of Karnataka directed that students under the OCI category are to be considered as “citizens of India” for admission to professional courses and asked the State government to admit them to undergraduate professional courses, including engineering, medical, and dental, even under the government and institutional quotas, and not to restrict their admission only under the NRI quota. *The March 4 notification by the MHA said that OCI card holders will have parity with NRIs in the matter of “appearing for the all India entrance tests such as National Eligibility cum Entrance Test, Joint Entrance Examination (Mains), Joint Entrance Examination (Advanced) or such other tests to make them eligible for admission only against any Non-Resident Indian seat or any supernumerary seat: Provided that the OCI cardholder shall not be eligible for admission against any seat reserved exclusively for Indian citizens.”*

RAJASTHAN INFORMATION COMMISSION PENALISES FIVE OFFICIALS FOR NEGLIGENCE

The Rajasthan State Information Commission has adopted a tough stance against government officials showing negligence in providing information under the Right to Information (RTI) Act. The Commission has imposed fines on five officials of different departments and passed adverse remarks about their conduct. The Commission has ordered that the fine amount will be recovered from the salaries of the officials. Two officials of the Rural Development and Panchayati Raj Department were fined ₹15,000 each, one official was penalised ₹10,000, and two officials of the Local Self Government Department were told to pay ₹5,000 each. The weekly review of work by Chief Information Commissioner D.B. Gupta and penalisation orders have made an impact, ensuring compliance with the RTI Act. The Commission has laid emphasis on display of information by the departments and local bodies on their own.

No response to notices

State Information Commissioner Lakshman Singh slapped a fine of ₹15,000 on the then Village Development Officer of Sata panchayat in Barmer district for not providing information to an



applicant in 2018. The official did not respond to the Commission's notices issued five times. The Commissioner also imposed a fine of ₹15,000 on the then Village Secretary of Koorna in Pali district for not providing information since 2018 and overlooking its notices. The Commission directed for providing information of 100 pages free of cost to the applicant. A similar order imposing a fine of ₹10,000 was passed against the Village Secretary of Bhakhri in Jodhpur district. Similarly, State Information Commissioner Narayan Bareth imposed a fine of ₹5,000 on the Secretary of Urban Improvement Trust, Kota. The then Executive Engineer of Asind municipality in Bhilwara district was also penalised ₹5,000 in two separate matters.

BUREAUCRATS CANNOT BE STATE ELECTION COMMISSIONERS: SC

The Supreme Court on Friday held that independent persons and not bureaucrats should be appointed *State Election Commissioners*. A Bench, led by Justice Rohinton F. Nariman, in a judgment, said giving government employees the additional charge of State Election Commissioners is a "mockery of the Constitution". The top court directed that the States should appoint independent persons as Election Commissioners all along the length and breadth of the country.

'Give up post'

It said government employees holding the post of State Election Commissioners as additional charge should give up the post. The Supreme Court said its direction should be followed strictly. *The independence of Election Commissions cannot be compromised at any cost, the Bench said, adding that it was "disturbing" to see government employees manning State Election Commissions as an add-on job. The judgment criticised the Goa government for giving its Law Secretary the additional charge of State Election Commissioner. "Under the constitutional mandate, it is the duty of the State to not interfere with the functioning of the State Election Commission,"* the Bench said. The judgment came on an appeal against an order of the Bombay High Court which had set aside the election notification issued by *the Goa State Election Commission in the municipalities of Margao, Mapusa, Mormugao, Sanguem and Quepem. The Supreme Court ordered the Goa State Election Commission to issue a notification for panchayat polls within 10 days and complete the election process by April 30.*

PM'S PHOTO REMOVED FROM COVID VACCINE CERTIFICATES

The Health Ministry on Tuesday informed the Election Commission (EC) that the "necessary filters" were added to the Co-WIN platform in the four poll-bound States and one Union Territory, removing Prime Minister Narendra Modi's photo from the COVID-19 vaccine certificates in those regions. The EC wrote to the Ministry on March 5 reiterating its standing instructions on the use of photos of political leaders in government advertisements during elections. It gave the Ministry a few days to come up with a technical solution to remove Mr. Modi's photo, an EC official said. Health Secretary Rajesh Bhushan wrote to the Deputy Election Commissioner in charge of West Bengal, Sudeep Jain, on Tuesday that "technical measures to comply with the directions of *ECI have been explored promptly*". *The EC had taken up the issue after the Trinamool Congress complained that publishing Mr. Modi's photo on the certificates was a violation of the model code.*



M) PLOUGHING A NEW FURROW IN THE AGRI-REGULATORY SYSTEM (STHANU R NAIR - PROFESSOR OF ECONOMICS, INDIAN INSTITUTE OF MANAGEMENT KOZHIKODE)

The intense debates around the recently enacted farm laws have brought to light the issue of developing a sound regulatory framework to promote India's agricultural growth — and in keeping pace with the changing times. While the country is divided on the need for the three new farm laws, the fact remains that farmers, mainly smallholders, across India continue to face various constraints in carrying out farming activities. They include constraints in accessing agricultural inputs, markets, finance, human resources, and information, which are critical for increasing farmers' competitiveness.

Role for the government

The existing institutional set up that controls farm production often fails to ease these constraints. A way out of this problem is to develop a suitable regulatory system that would enable farmers to overcome their constraints. *Governments can play a critical role in this regard by enacting laws and regulations that influence farmers' access to agricultural inputs, cost of production, farmers' participation in agricultural markets and value chains, the competitiveness of farmers, and private investment in the farming sector. Where does India stand on this front in comparison to other countries? A recent publication by the World Bank titled Enabling the Business of Agriculture (EBA) 2019 provides some interesting insights on this question (<https://bit.ly/3aB98FO>). Based on eight indicators, the EBA measures the extent to which government regulatory systems in 101 countries worldwide make it easier for their farmers to operate agricultural activities. The indicators are supplying seed, registering fertilizer, securing water, registering machinery, sustaining livestock, protecting plant health, trading food, and accessing finance. These indicators measure the strength of a country's agricultural regulatory environment pertaining to market integration and entrepreneurship in agriculture. The EBA is akin to the Doing Business project of the World Bank, which ranks the ease of doing business in countries.*

India's poor standing

Among 101 countries covered, *India ranked 49 on the EBA aggregate score. France, Croatia, and the Czech Republic are the three top-ranking countries.* Among emerging groups of 20 (EG 20) countries, *India has the second least favourable regulatory environment for farming activities after South Africa. Turkey is the top-performing country among EG 20 countries,* followed by *Argentina, Brazil, the Russian Federation, Mexico and China. Notably, India lags behind its close competitors in world agriculture, namely China, Brazil, and the Russian Federation (<https://bit.ly/3aJ3wJl>).* Compared to these three countries, India has the weakest performance on five out of eight indicators. They are registering fertilizer and machinery, securing water, sustaining livestock, and protecting plant health indicators. *Registering fertilizer and machinery indicators measure domestic laws and regulations that provide farmers access to fertilizer and agricultural machinery. The regulatory processes that help farmers make appropriate decisions regarding the level of investment in irrigation are measured by securing water indicator.* Sustaining livestock indicator captures the quality of regulations affecting farmers' access to livestock farming inputs. *The quality of legislation on phytosanitary standards (SPS) is captured through the protecting plant health indicator. Inadequate access to quality agricultural inputs such as fertilizers,*



water, and mechanical power can cause productivity loss, higher cost of food production and uncertainty, and lower capacity of farmers to produce surpluses, adopt new plant varieties and accept new opportunities to improve their income. The regulatory system that governs irrigation management is essential for reducing the variability of farm output, prices, and incomes, minimising vulnerability to natural shocks, and incentivising the production of riskier and high returns crops. Gaining access to the global agricultural value chain requires a sound regulatory framework on SPS. *For instance, thanks to active involvement by the SPS authority, namely National Agrarian Health Service (SENASA-Peru), Peru had become one of the world's leading exporters of asparagus.*

Seed supply

The comparative score of India on supplying seed, trading food, and accessing finance indicators is high. Supplying seed indicator evaluates laws and regulations that ensure timely release of seed to farmers. *A robust seed supply system is required for improving yield and adopting new crop varieties. The trading food indicator assesses laws and regulations that facilitate exporting of farm products by farmers. The regulatory framework on the use of warehouse receipts is assessed using accessing finance indicator. A robust warehouse receipts system enables the farmers to obtain the credit needed to invest in agriculture. Warehouse receipt operators accept deposits of crops and provide warehouse receipts to farmers as evidence of deposited crops. By using warehouse receipts as collateral, farmers can receive credit. The EBA project results reveal that, compared to its close competitors, the strength of India's agricultural regulatory environment is weak on the whole and with respect to key performance indicators. The future of world agriculture and food production is expected to increasingly depend on middle-income countries such as China, India, Brazil, and Indonesia, just like the high-income countries dictating the fortunes of global agriculture in the past five decades (<https://bit.ly/3ryD0cL>).* To make the best use of this great opportunity, India needs to put in place an agricultural regulatory system that would make it easier for its farmers to conduct agricultural activities, thereby improving their productivity, competitiveness, and income.

ENSURING TRUST IN THE ELECTORAL PROCESS (ANJALI BHARDWAJ AND AMRITA JOHRI ARE ASSOCIATED WITH THE NATIONAL CAMPAIGN FOR PEOPLES' RIGHT TO INFORMATION)

It is critical that the Supreme Court immediately adjudicates on the electoral bonds scheme

The Election Commission of India has announced dates for elections to five Legislative Assemblies. It is a matter of grave concern that the petition challenging the electoral bonds scheme, which deals with the vexed issue of election funding, continues to languish in the Supreme Court. The delay in adjudicating on the case filed in September 2017 is inexplicable in light of the observation by the apex court that the matter gives rise to *"weighty issues which have a tremendous bearing on the sanctity of the electoral process in the country."*



No transparency

The political system in India has traditionally been hostile to the idea of transparency in electoral financing. Political parties have zealously opposed any examination of the linkages between their governments' policies and decisions, and the interests of their major donors. When the Bharatiya Janata Party (BJP) government announced the launch of a new instrument of political party funding to ostensibly ensure greater transparency and eliminate black money from the system, it was hoped that the issue of anonymous financing would be squarely dealt with. However, using the money bill route to bypass the Rajya Sabha, *the government introduced regressive amendments to laws, including the Income Tax Act of 1961, the Companies Act of 2013, and the Representation of the People Act of 1951, to introduce electoral bonds which allow donors to anonymously donate unlimited amounts of funds to political parties.* Under the scheme, *an electoral bond, issued in the nature of a promissory note, can be bought by any Indian citizen or company incorporated in India. The scheme allows parties to receive these bonds without the public, the Election Commission or even the Income Tax Department knowing the identity of the donors.* It has legitimised opacity and opened the floodgates for anonymous donations to parties, dealing a *severe blow to voters' right to know. People's ability to track donations by big businesses and expose quid pro quo has been undermined.* Expressing its opposition to electoral bonds in the Supreme Court, the *Election Commission has contended that they will have an adverse impact on transparency in political party financing and would make it impossible for the constitutional body to ascertain whether donations received were in compliance with the statutory framework governing political parties.* In 2016 and 2017, *amendments were made to the Foreign Contribution (Regulation) Act (FCRA), 2010, with retrospective effect to bail out the BJP and Congress, which were found guilty by the Delhi High Court of having received contributions from foreign sources in violation of the FCRA.* In conjunction with these amendments, which enabled Indian subsidiaries of foreign companies to make donations to political parties, electoral bonds allow anonymous financing by foreign entities opening Indian elections to the influence of foreign interests.

Money laundering

One of the stated objectives of introducing electoral bonds was to address the problem of black money and large cash donations. *Proponents of electoral bonds have argued that since bonds can only be purchased via cheques, demand drafts, direct debit or electronic clearing, they will stem the flow of black money. The problem with this assertion, however, is that it completely overlooks the crux of the problem: the provision of the Income Tax Act under which political parties were exempted from disclosing sources of donations of less than ₹20,000.* Most parties claimed that a majority of their income was received in denominations smaller than ₹20,000 thus doing away with the requirement to disclose the source of donation. It is an open secret that most of the anonymous donations received by parties were large cash contributions, which were 'broken down' and shown as multiple small donations. *If the government was serious about addressing the malaise of black money, it should have done away with the provision of non-disclosure of sources. Instead, amendments to the Income Tax Act in 2017 only lowered the stipulated ceiling of anonymous contributions from ₹20,000 to ₹2,000. Creative accountants can easily neutralise the impact of a lowered ceiling by multiplying the number of unattributed cash donations by a factor of 10, enabling donors to continue to anonymously pump cash into the system. In fact, electoral bonds are likely to abet money laundering since the amendments to the Companies Act in 2017 removed the cap of 7.5%*



on political contributions by a company as a percentage of its average net profits of the preceding three years. This allows for black money to be easily routed through shell companies to purchase electoral bonds, an apprehension also expressed by the Election Commission. Even the Reserve Bank of India flagged serious concerns about the electoral bonds.

Big money in electoral politics

The rationale given by the government for providing anonymity to donors of electoral bonds is to allow donors to use legitimate funds to support political parties by protecting them against the wrath of rival parties, especially the party in power. But as bonds are issued only through the State Bank of India, it would not be difficult for the party in power to access information about the identity of purchasers and details of bonds sold to them, and match those to deposits in political party accounts. It is no surprise, therefore, that the lion's share of donations through bonds have been cornered by the BJP – it bagged 95% of bonds issued in the first tranche in March 2018 and approximately 60% of bonds sold till March 2019. Bonds worth nearly ₹6,500 crore have been sold so far. They have consolidated the role of big money in electoral politics. Information obtained under the Right to Information (RTI) Act shows that bonds with the highest denomination value of ₹1 crore are the most preferred by donors and constitute 92% of the total value of bonds sold till October 2020. Electoral bonds militate against every known principle of transparency and lend themselves to use by special interest groups, corporate lobbyists and foreign entities to acquire a stranglehold on the electoral process and governance at the expense of citizens. To ensure public trust in the electoral process, it is critical that the Supreme Court immediately adjudicates on the matter. If bonds are to be retained as an instrument for contributing to political parties, donations must be made transparent and parties should be obligated to file reports with the Election Commission and other oversight bodies disclosing the names of donors and amounts received. This information must also be placed in the public domain. These steps are necessary to safeguard democracy and ensure that elections do not become a mere formality.

FRONTIER POLITICS

The BJP's rise to power in Assam in 2016 was remarkable, and the party has set an even higher goal this time, to win 100 of the 126 Assembly seats along with its allies, the Asom Gana Parishad, United People's Party Liberal and the Rabha Joutha Mancha. The electoral landscape is significantly different this time, with rearranged alliances and the emergence of new issues such as the Citizenship (Amendment) Act (CAA). Going by 2016 figures, the Mahajot of parties including the Congress, the All India United Democratic Front, and the Bodoland People's Front has 48.81% share of the votes. The combined vote share of the Congress and AIUDF was higher in 17 seats the BJP had won last time. An alliance of regional parties, the Assam Jatiya Parishad and Akhil Gogoi's Rajjor Dal, both formed six months ago following the anti-CAA movement, could make the contest triangular, at least in the eastern parts. The Congress is facing a leadership vacuum and tussle at the same time; and the BJP has to reconcile with the friction arising out of the fact that its most effective and popular leader is Finance Minister Himanta Biswa Sarma, a former Congressman. The BJP claims Assam saw fast-paced development and there is no noticeable anti-incumbency. The outcome will be determined by other issues, and particularly identity questions that have become more fraught this time. Regional variations in political trends are sharp, and the BJP's attempt is to construct a Hindu identity that subsumes ethnic and linguistic ones. Mr. Sarma has



been targeting Muslims in his rhetoric. The CAA, along with the National Register of Citizens, got the religious fault line intertwined with the ethnic one, denying the BJP any clear advantage. The fear of illegal migrants overrunning indigenous populations has been a perennial issue; but this time, the focus has shifted from migrant “Bangladeshi” Muslims to “Bangladeshi” Hindus, whose side the BJP sought to take through the new citizenship regime. The party is now trying to underplay the CAA as an electoral issue, but the other two alliances are trying to keep the focus on it, and put the BJP on the back foot among the indigenous population. The issue is also a red flag for a majority of Muslims, who constitute 34% of Assam’s population. The BJP has been trying to mobilise sentiments around the encroachment by ‘Bangladeshis’ of forests and swathes of land belonging to Vaishnav monasteries. Floods that wash away farmland and dwelling areas, and the distress among plantation workers — a voting block, particularly in 45 seats in eastern and southern Assam — are also campaign issues. Sadly, such material questions are only secondary in a campaign overwhelmed by identity issues.

WOMAN’S WORK

Political parties in Tamil Nadu appear to have discovered a new constituency to woo — homemakers. First mooted by Kamal Haasan of the Makkal Needhi Maiam in January, the promise to pay monthly wages to homemakers has now found its way into the manifestoes of the DMK and the AIADMK, the state’s two main political parties. It is welcome that political parties agree that domestic chores need to be considered as work, a fact seldom acknowledged by society. But the proposal needs to be read against the backdrop of a declining female labour force participation (FLFP) rate. *Between 1990 and 2019, India’s FLFP rate slipped from 30.28 per cent to 20.52 per cent, the lowest in the subcontinent and comparable to countries like Yemen, Somalia, Iraq and Syria.* There are complex social reasons for this trend — a positive factor would be that more women are pursuing education for longer now than they used to some decades ago. But the overwhelming evidence suggests that structural constraints and social prejudices are also forcing women, with and without education, to stay out of or retreat from joining the formal and informal workforce. *Statistics reveal that unemployment is higher among women compared to men, and that more women lost jobs during the COVID-19 pandemic.* In the absence of a deeper conversation on the relationship between women and the labour market, *the offer of wages for domestic work could end up reinforcing the stereotype of the woman as the “natural” homemaker, encourage fetishisation of domestic chores, and serve as an incentive for her to stay within the confines of home.* It is telling that AIADMK leader and Tamil Nadu Chief Minister Edappadi Palaniswami framed this poll promise as a “gift” to women — its logic stems from populist politics, not any emancipatory political imagination. Both the DMK and AIADMK have in recent years sought to woo women voters with freebies such as mixer-grinders (ostensibly to lessen the burden of house work) while ignoring pressing issues such as pay parity and safety at the workplace. *Periyar and the Dravidian Movement placed gender equality and rights at the centre of self-respect politics.* In that schema, domestic chores were to be shared by the man and woman, not to be monetised and reserved for the woman. Tamil Nadu political parties could do better to propose policies that enable more women to join the labour force and assure them of a supportive environment and equal opportunities at work.



BEHIND THE FLAG

The AAP's distinctive success in Delhi has been to contribute to expanding a political constituency that rewards governments for investing in healthcare and education, both of which are seldom considered politically exciting even if they make a significant difference to voter incomes and opportunities. *The just-announced Delhi government budget provides a 23.74 per cent outlay in education and 14 per cent in healthcare. The government has also set a target of doubling the number of mohalla clinics and opening 100 such clinics specially for women. But the Arvind Kejriwal government also felt the need to wrap these measures in the national flag and call it the "deshbhakti budget". The budget sets aside Rs 45 crore for installing 500 high-mast national flags in the city, one visible every 2 km, so that people will be filled with sentiments of "patriotism" and "national pride" the moment they step out of homes.* It has proposed a "patriotism" curriculum in schools and events to mark the lives of Bhagat Singh and B R Ambedkar. The BJP's overwhelming electoral successes since 2014 have pushed the centre of gravity of Indian politics rightward and this has been achieved by not just broadbasing the appeal of Hindutva but also by effectively appropriating the moral high ground of nationalism. The dilemma for the Opposition is this: Should it let the BJP run away with that plank and make itself vulnerable to the "anti-national" labelling? Or should it try to find a way to reclaim it, even if that runs the risk of letting the BJP set the terms of the debate? The "deshbhakti" budget may be the AAP's attempt to engage with this tricky question. By emphasising "civic duties" and the values that make a good citizen, the AAP brand of patriotism may even be trying to shift the debate to a less charged and emotive framework. *Yet the question remains: What was the perceived deficit in patriotism in the everyday life of Delhiites that scarce resources must be spent to address it?* More importantly, does the AAP have the intent and the political imagination to prevent this new symbolism of the city from being hijacked by an exclusionary jingoism? In its appropriation of soft Hindutva and state-sponsored pujas, for instance, the AAP has shown no anxiety of distinguishing itself from a larger majoritarian politics. In the absence of politics that invests in expanding the idea of national pride to include diverse people and opinions, flag-waving nationalism could mark a slide into narrower ideas of public good.

IN RECENT CONTROVERSIES, IIMS AND THE QUESTION OF AUTONOMY

The Indian Institutes of Management (IIMs), for decades the brightest jewel in the country's higher education set-up, are going through a phase of turmoil. Last week, the Board of Governors of one of the older IIMs (Calcutta) stripped its Director of important powers, and The Indian Express reported that the Director of another old IIM (Ahmedabad) had pushed back against the government last year, refusing to comply with a request to submit for scrutiny a PhD thesis that a BJP MP had taken offence to. Although very different from each other, at the heart of both incidents is the question of the powers of the Director of the IIM, and the degree of autonomy that they, and the institutes themselves, enjoy.

What is the controversy at IIM-Ahmedabad?

At the heart of the controversy at IIM-Ahmedabad is a PhD dissertation with three essays on electoral democracy. About a year ago, the Ministry of Education asked the Institute for a copy of the thesis after Rajya Sabha MP Subramanian Swamy had sent a letter to the Prime Minister



alleging that the dissertation describes the BJP and BSP as “ethnically constituted” parties. And that the BJP is “a pro-Hindu upper caste party”. Swamy had urged the government that IIM-Ahmedabad should be directed to have the thesis “re-examine[d]” by independent professors, and that the PhD be kept on hold until that review was complete. When asked to share a copy of the thesis, however, IIM-A Director Prof Erol D’Souza pushed back. In his reply to the Ministry, he wrote that the government was not an arbiter of complaints regarding a PhD thesis, and that there were appropriate academic forums within the Institute to flag complaints.

Historically, how autonomous have the IIMs been?

“Before the enactment of the [IIM] Act [in 2017], when the IIMs functioned as Societies, they had a fair amount of autonomy in academic matters and other issues such as the fixing of fees. Because of the latter power, the older IIMs (Ahmedabad, Calcutta, Bangalore, Lucknow, Kozhikode, Indore) were not dependent on the government for funds, and were in a better position to assert their autonomy,” said a senior government officer who spoke on condition of anonymity. “However, the appointment of Directors and Chairmen remained in the government’s hands, and it often used this leverage to influence the IIMs,” the officer said. However, this “autonomy” was only a product of convention, and “functioned as long as both sides respected it”, the officer said. “When this respect was compromised, friction occurred.” What the IIM Act did was to “cast autonomy in stone”, the officer said. “The government cannot reduce it or pass orders which are not in consonance with the Act. The only way to undo anything is through an Amendment passed by the legislature,” the officer said.

Are there any instances of friction between an IIM and the government on a question of policy?

The IIMs have been protective of their autonomy, and have tended to oppose any perceived attempt by the government at curtailing their freedom. *A well-known example is from 2003-04, when the then HRD Minister Murli Manohar Joshi issued an order drastically reducing admission fees at the six IIMs from ₹1.5 lakh to ₹30,000. A face-off ensued between the then NDA government and the IIMs, and the matter was resolved only after the NDA lost the 2004 general elections, and the new UPA government reversed Joshi’s order.* What limits do questions of funding and administration place on the principle of autonomy of higher education institutions? *“Globally as well as in India, higher education is supported by the government in one form or the other. Normally this should not impact the autonomy of universities,” said Ashok Thakur, who retired as Higher Education Secretary in 2014. “However, if the government of the day thinks otherwise, there is no stopping it — irrespective of whether the institutions are funded or not, as has been shown in the recent case of IIM-A, which is financially totally independent. Funding gives the extra handle to the government as Parliament and the CAG have by default the right to know the fate of the funds approved by it.”* But this “interference”, Thakur said, “comes at a price, as universities that lack autonomy are less creative and therefore suffer in terms of quality and reputation”.

What are the implications of the ongoing turmoil in the IIMs?

Many in the IIM community see the ongoing situations at IIM-Calcutta and IIM-Ahmedabad as stemming from the dramatic shift in power dynamics ushered in with the new IIM Act. The government has relinquished control on paper, but the implementation of the Act will face hiccups as the Board assumes greater power in the functioning of the IIMs.



BREAKFAST IN SCHOOLS PLAN FACES DELAY

The Parliamentary Standing Committee on Education has recommended that all government schools start providing free breakfast in the coming academic year as part of an expansion of the *mid-day meal scheme envisaged by the National Education Policy. However, Education Ministry officials say a severe funding crunch is likely to delay the initiative.*

Fund crunch

Free breakfasts would involve an additional budget of ₹4,000 crore, according to senior officials, but the School Education Department has seen a budget cut of almost ₹5,000 crore this year. In its submission to the panel, the Department said it had proposed two new components to the mid-day meal scheme during 2021-22 — an expansion of coverage from the current Class 1-8 students to include pre-primary students as well, and the provision of breakfast. “The Department in its written submission also informed that a number of States have started providing breakfast to the students in the mid-day meal scheme. The Committee recommends that under the schemes all schools should start providing breakfast [for] the students in the next academic session as envisaged in NEP, 2020,” said the panel’s report, submitted to the Lok Sabha on Tuesday. “The Centre’s current expenditure on the scheme is about ₹11,000 crore for 11.8 crore students. We were hoping to start providing breakfast from April when the new session starts, but we estimate it will cost us another ₹4,000 crore. There have been major budget cuts, so the plan has been delayed by several months now,” a senior Ministry official said. *The School Education Department saw an 8% cut in allocation from the 2020-21 budget estimate of ₹59,845 crore to ₹54,873 crore in the coming year. The Department’s revised estimates for last year were lower as schools were shut to prevent COVID-19 spread for more than nine months, but the mid-day meal scheme was one of the few to see expenditure rise during the pandemic. “Students were given dry ration or DBT [that is, a cash allowance] in lieu of mid-day meals.* Plus, the scheme remained open through the summer holidays as well. So our expenditure was higher than usual,” the official said. The Central allocation for the meals had a budget estimate of ₹11,000 crore in 2020-21, and a revised estimate of ₹12,900 crore. However, the 2020-21 budget estimate was slashed back down to ₹11,500 crore, which is insufficient to provide breakfast, let alone expand coverage to include younger children. Officials say depending on the economic situation and the Centre’s revenue position, the proposal could be re-examined later in the year. The States’ finances may also come into play, as the Centre bears the entire cost of foodgrains, but shares the cost of food preparation and distribution with them.

RAILWAYS AND A QUESTION OF TRANSPARENCY (K. BALAKESARI - FORMER MEMBER STAFF, RAILWAY BOARD)

A surprising feature of the post-Budget discourse in Parliament and in the media these past few weeks has been the total absence of one topic: Railways. Apparently, the understated objective of doing away with a separate Budget for the Railways, namely, shifting the spotlight away from it, has been handsomely achieved. However, sweeping under the carpet the serious problems of viability facing the country’s largest and most crucial transport organisation, by taking cover behind the diversions provided by other, more topical issues thrown up by the Union Budget, will not make them disappear.



The Operating Ratio (OR) has been artificially kept below 100% by making less-than-required provision for pension payments during 2019-20 and 2020-21. While the official figures of OR are 98.36% for 2019-20 and 96.96% for 2020-21, the actual OR works out to 114.19% and 131.49%, respectively, if the required provision is made for pension payments. The purpose of indulging in this self-delusional exercise is not clear. Technically, the Indian Railways are well and truly in the red. Tinkering with statistics cannot alter that reality. Perhaps for the first time ever, the Indian Railways were unable to adequately provide for the Pension Fund, both for 2019-20 and 2020-21, totalling ₹78,119 crore. The Railway Ministry has reportedly sought a loan from the Central Exchequer to meet this shortfall. While the under-provisioning for 2020-21 can be explained by the shortfall in revenues due to the pandemic, the shortfall amounting to ₹27,642 crore even during 2019-20 (when there was no COVID-19) should be a cause for serious concern. In fact, the passenger and freight earnings in 2019-20 were less than in 2018-19, indicating that a downslide had started even before the outbreak of COVID-19, probably due to the economic slowdown. Railway finances are out of whack. And COVID-19 has nothing to do with it.

Immediate challenges

It is not as though all this has happened suddenly. The fact is, over the years, traffic revenues have been unable to keep pace with the increase in staff costs and pension payments. *While the passenger and freight revenues increased by 84.8 % from 2010-11 to 2019-20, the staff and pension costs raced ahead at almost double that rate, by 157%, in the same period. Further, while in 2010-11, the staff plus pension costs formed 55.7% of the traffic earnings, by 2019-20, they had shot up to 77.5% of the traffic earnings.* This, despite the fact that there has been *a reduction of about one lakh staff on roll during this period.* The spike in the staff and pension costs is largely attributable to the implementation of the Central Pay Commission recommendations, a 10-yearly feature. *Being a Ministry of the Government of India, the Indian Railway's finances are bound to be subjected to another fatal body blow by the next (Eighth) Pay Commission around 2025-26.* Therefore, the immediate challenges are achieving a quantum jump in the revenues, particularly on the freight front, and a drastic reduction in the number of employees, there being no way to reduce the number of pensioners in the short run. It is in this context that the full commissioning of the two Dedicated Freight Corridors (DFCs), slated to be operational by 2022, assumes great urgency and importance. A related aspect is the product mix of freight that will be carried in the near future. *A disturbing feature of freight traffic is the overwhelming dependence on one commodity: coal. Despite all the marketing efforts over the years, almost 50% of freight earnings are contributed by the transport of coal. With the availability of alternative sources of renewable energy such as solar at competitive prices, the dependence on coal-based thermal power plants is bound to reduce to meet the incremental energy needs. Even these are likely to be set up at the pitheads, requiring no substantial movement over the Railways system.* Also, India is a signatory to the 2015 Paris Agreement, committed to achieving targeted reductions in carbon emissions in a time-bound manner. *The Railways have to therefore think seriously of a life after coal.* An option that merits consideration is the adoption of the roll-on roll-off model of transporting loaded trucks on rail on the DFCs, which apart from boosting revenues has the added advantage of reducing the overall carbon footprint. The other major challenge facing the Railways is the burgeoning staff costs including pension. At this juncture, the reported move to go in for recruitment of 1.5 lakh staff is simply baffling. There have been suggestions to corporatize the Railways' Production Units and outsource the medical services. The government needs to firm up its policies on these crucial



issues after discussions with all stakeholders. More than a year ago, a grand proposal to merge all cadres and have a single Indian Railways management cadre was announced to eliminate “departmentalism”. This implies that the existing organisational set up will continue, because it will take at least 25-30 years for any beneficial impact to be felt. On the other hand, moves are afoot to invite private players to operate passenger and freight services. These are conflicting moves, akin to driving a car with one foot on the accelerator and the other on the brakes.

Need for public scrutiny

A separate Railway Budget has passed irrevocably into history. However, the need for a detailed public scrutiny of the affairs of one of the largest undertakings in the country, public or private, at least once a year has not gone away. As suggested earlier by this writer in these columns, an annual report called ‘Indian Railways Report’ on the lines of the annual Economic Survey should be placed in Parliament every year detailing the physical and financial performance of the Railways, identifying the challenges and plans for the future to meet the country’s rail transport needs. The Railways are in the midst of an unprecedented financial distress and are faced with fundamental organisational issues. This is no time for evasiveness and obfuscation but for clarity and transparency. It is also time to confront reality.

A parliamentary committee has recommended that the Railway Ministry should undertake “prudent adjustment” of passenger fares to reduce the burden on freight segment, while highlighting that the Railways’ operating ratio, which helps determine the financial health of the national carrier, has regularly deteriorated after 2015-16. The committee, in its report tabled in Parliament on Monday, also said the actual earnings of the Railways have fallen short of projected earnings for all years since 2016-17, indicating that either unrealistic projections were made or the Ministry’s efforts to actualise the accruals were not sufficient. Noting that revenues from passenger services had deteriorated due to suspension of operations during COVID-19, the panel, headed by former Union Minister Radha Mohan Singh, asked Railways to consider resuming passenger services to boost their revenues.

No to cross subsidies

“...the tariff policy of the Indian Railways has traditionally followed the principle of *cross subsidisation* in order to offset the losses incurred in the heavily subsidised passenger and other coaching services through additional revenue from freight movement...The Committee feels that both passenger fares and freight rates have to be demand-cum-market driven and fixed differently for different segments,” it said, recommending that the Ministry undertake a “prudent adjustment” of passenger fares to reduce the burden on freight segment. *On the net revenues, the panel noted that over the past five years, Budget Estimates for revenues are being drastically reduced at Revised Estimate stage, and even the reduced targets nowhere matched the actuals.* Noting the regular deterioration in Railways’ operating ratio, the panel added that “Railway finances should be monitored and managed prudently by keeping a close and constant tab on the undesirable/unproductive expenditure so that the operating ratio (OR) may reach at acceptable level in the near future”. *Operating ratio indicates how much the Railways spend to earn a rupee.* For example, an operating ratio of 98.36% for 2019-20, indicates that to earn ₹100, the Railways will have to spend ₹98.36. “The Committee observed that for the fiscal year 2015-16, the Railways Operating Ratio was 90.5%. In contrast in the succeeding years the Operating Ratio has regularly



deteriorated.” For 2016-17, the operating ratio rose sharply to 96.5%. Subsequently, the OR was 98.4% in 2017-18, 97.29% in 2018-19. *For 2020-21, it is estimated to be 131.4%, while for 2021-22, Railways is targeting OR of 96.15%.*

ALL-WOMAN CREW OF SCI VESSEL MAKES HISTORY

It is the first time in maritime history that a ship is being sailed by only women officers

To acknowledge the efforts of women in breaking down the stereotypes in the erstwhile male-dominated maritime sector, Union Minister Mansukh Mandaviya has flagged off an all-woman crew onboard Shipping Corporation of India (SCI) vessel m.t. Swarna Krishna, the Ministry of Ports, Shipping and Waterways said on Sunday. The vessel was virtually flagged off by the Minister on March 6, it said. *“The Shipping Corporation of India, as part of its ongoing diamond jubilee celebrations and also to commemorate International Women’s Day on March 8, 2021, achieved another feat when Mansukh Mandaviya, Minister of State (Independent Charge) for Ports, Shipping & Waterways, virtually flagged off the ‘All Women Officers’ Sailing’ on m.t. Swarna Krishna — SCI’s product carrier from JNPT Liquid Berth Jetty on March 6, 2021,”* the Ministry said. *This is the first time in the world maritime history that a ship is being sailed by all women officers,* it said. Mr. *Mandaviya acknowledged the contribution and sacrifice of the women seafarers who acted as the Indian ambassadors to the global maritime community and had made the nation proud,* it said. H.K. Joshi, CMD, SCI, spoke of the unabated and relentless pursuit of the SCI to realise the “paradigm shift” in the maritime sector. Shipping Secretary Sanjeev Ranjan, JNPT Chairman Sanjay Sethi, Chairman, Mumbai Port Trust, Rajiv Jalota, and DG Shipping Amitabh Kumar attended the ceremony virtually and commended the efforts of the women seafarers. “The move demonstrated the gradual shift in the perception of seafaring as a male-oriented profession and the principles of Diversity & Inclusion that SCI upholds. The SCI has been a pioneer in employing women seafarers onboard its vessels and has implemented various initiatives including age relaxations and fee concessions to aspiring female cadets through its Maritime Training Institute to promote their integration into the maritime sector,” the statement said.

DIAGNOSING GESTATIONAL DIABETES (V. BALAJI - THE FOUNDER SECRETARY OF DIABETES IN PREGNANCY STUDY GROUP OF INDIA AND SENIOR CONSULTANT DIABETOLOGIST)

Diabetes is a major public health problem in India with *an estimated 7 crore adults with diabetes and half as many with prediabetes.* Unfortunately, over half remain undiagnosed till late complications set in. The consequences of this for the health system, economic productivity and the individual’s life and family are well documented and well known. *Type 2 diabetes, the most common form of diabetes, is primarily preventable among those at risk through proper lifestyle changes.*

Transitory form of diabetes

What is less well known is that pregnancy is a diabetogenic stress and as a consequence, some women develop a transitory form of diabetes during pregnancy called gestational diabetes. Women of Indian (South Asian) origin are considered to be at highest risk of gestational diabetes.



The International Diabetes Federation (IDF) estimates that *up to 25% of pregnancies in South Asia may be affected by hyperglycemia in pregnancy. In India it varies from about 10% in rural areas to about 30% in urban areas.* Given that *there are approximately 2.7 crore to 3 crore pregnancies each year in India and assuming a modest gestational diabetes rate of 10%, this means that about 27 lakh to 30 lakh women develop it each year.* Gestational diabetes is associated with significantly increased risk of complications during pregnancy such as preeclampsia (fits during pregnancy), prolonged and obstructed labour, need for assisted delivery, postpartum haemorrhage and sepsis, stillbirths, premature delivery, increased risk of neonatal deaths due to respiratory distress, neonatal hypoglycaemia and birth injuries. All these conditions contribute to high maternal and new born morbidity and mortality. *If a woman gets gestational diabetes, it is easier to identify her as being at risk of diabetes and cardiovascular diseases. Almost half the women with gestational diabetes go on to develop Type 2 diabetes within 10 years without preventive care. Children born to women with gestational diabetes are also at very high risk of obesity, Type 2 diabetes, and cardiovascular diseases.* Thus, *addressing gestational diabetes has an impact at three levels: it will help lower maternal and new born morbidity and mortality; reduce the risk of future diabetes and cardiovascular diseases in women with gestational diabetes; and possibly break the chain of 'diabetes begetting diabetes' by addressing the issue of trans-generational transmission.*

Test procedure

However, there is lack of public awareness about gestational diabetes as well as low awareness and capacity within the health systems for testing and providing care. This is despite the availability of national guidelines and diagnosis and management of gestational diabetes by the Ministry of Health and Family Welfare, Government of India. Professor Dr. V. Seshiah, a pioneer in the field of diabetes and pregnancy, along with the Diabetes in Pregnancy Study Group of India, suggested a single test procedure which is economical and doable. The World Health Organization, the IDF and the International Federation of Gynaecology and Obstetrics have also approved this test procedure.

A recommendation

Being conceived by healthy parents and born to a mother in good health is the best gift a child can receive as this provides a health advantage. To build a healthy future for the nation, this becomes very important. Several academic associations such as the Diabetes Study Group of India, the Federation of Obstetric and Gynaecological Societies of India and the South Asia Initiative for Diabetes In Pregnancy have recommended that we observe a National Gestational Diabetes Awareness Day on March 10, which is *Dr. V. Seshiah's birthday, in recognition of his service and contribution to the field of diabetes and pregnancy for more than 40 years.*

HC SETS UP PANEL TO FIND WAYS TO TREAT PATIENTS WITH RARE DISEASES

The Delhi High Court has set up a special committee to find a time-bound solution on ways to provide treatment and therapy options to patients suffering from rare diseases. Justice Prathiba M. Singh ordered the committee to also give "immediate concrete proposals for crowdfunding of the costs of treatment for children with rare diseases". The nine-member committee includes Renu Swarup, Secretary of Department of Biotechnology; Prof. Madhulika Kabra, AIIMS; I.C. Verma Director, Sir Ganga Ram Hospital; and Arun Shastry, Dystrophy Annihilation Research Trust (DART).

3RD FLOOR AND 4TH FLOOR SHATABDI TOWER, SAKCHI, JAMSHEDPUR



Exorbitant cost

The High Court's direction came while hearing a bunch of petitions filed by patients suffering from rare diseases such as *Duchenne Muscular Dystrophy (DMD)* and *Hunter's syndromes* seeking direction to the government to provide them uninterrupted free treatment in view of the *exorbitant cost of treatment*. *DMD is a condition that causes progressive muscle degeneration and weakness in the victim. Hunter's syndromes is a rare disease that is passed on in families. It mostly affects boys and their bodies cannot break down a kind of sugar that builds bones, skin, tendons, and other tissues.* The High Court, in its order, also noted that Dr. Shastry from DART and the Central Drugs Standard Control Organisation, has indicated that clinical trials are already under way in India for drugs/therapies for the treatment of DMD. Justice Singh asked the committee to look into this aspect and also steps to be taken to indigenise the development of the therapies in India, and reasonable timelines required to be followed. *Other members of the committee include P. Ramesh Menon, Associate Professor, Department of Paediatrics, AIIMS; Apurba Ghosh, Institute of Child Health; Angamuthu Meena Kanikannan, Nizam's Institute of Medical Sciences; V. Viswanathan, Kanchi Karnakoti, CHILDS Trust Hospital, and Pulkesh Kumar, Deputy Secretary, Ministry of Health and Family Welfare.*

HEALTH FIRST, FISCAL PRUDENCE LATER (KARTHIK GANESAN AND ABHISHEK JAIN ARE FELLOWS AT CEEW)

Subsidised LPG prices have increased by a massive 50% in this financial year alone, consistently capturing headlines. What would be the impact of this in sustaining the gains of the government's flagship scheme, the Pradhan Mantri Ujjwala Yojana (PMUY)? *Since 2016, PMUY has provided LPG connections to 8 million poor households to reduce women's drudgery and indoor air pollution. Providing an upfront connection subsidy of ₹1,600, PMUY helped expand LPG coverage to more than 85% of households. In comparison, less than a third of Indian households used LPG as their main cooking fuel in 2011.* However, multiple studies assessing PMUY concluded that while access has increased, many new beneficiaries are not consuming LPG in a sustained manner. Large-scale primary surveys by the Council on Energy, Environment and Water (CEEW) suggest that, *on average, recent PMUY beneficiaries consumed only about half the LPG compared to long-standing regular consumers.* Limited uptake of LPG among poor households has two main reasons. First, *the effective price of LPG is not affordable for such households, despite the subsidy. Second, many rural consumers have access to freely available biomass, making it difficult for LPG to displace it. Beyond causing indoor air pollution, biomass use for cooking contributes up to 30% to the ambient PM2.5 at the national level, more than the contribution of transport, crop residue or coal burning.*

Changing prices

The recent increases in the subsidised LPG price have made it more difficult for the poor to sustain LPG use. India determines domestic LPG prices based on imported LPG price (we import more than 50% of our consumption). As the pandemic set in, the LPG subsidised price began to rise, even when global LPG prices plummeted, contributing to the refiners' margins and government finances. However, now with LPG prices rising globally, a 50% reduction in the LPG subsidy budget for FY22 (versus FY21) does not bode well. The government is either banking on low global prices (wishful thinking) or reducing its subsidy burden significantly, even while offering 1 crore new connections



under Ujjwala 2.0 in FY22. The government's lack of transparency in the pricing of subsidised LPG adds further to the citizen's plight. The information about LPG price build-up and subsidy has become more difficult to obtain in recent years. As a consumer, one is no more aware of whether the subsidy reduction or global price changes are changing the subsidised LPG prices.

Better targeting

So, can the Central government tread a tight rope to balance LPG subsidies and ensure sustained clean fuel consumption in poorer households? The answer lies in better targeting of subsidy. Currently, the government provides a uniform subsidy per cylinder to all LPG consumers (PMUY or otherwise). *Many long-term LPG users, who are also middle- and higher-income households, will continue to use LPG even at a (higher) unsubsidised price. In contrast, economically poor households need a greater subsidy to make it affordable for them to use LPG as their main cooking fuel. One approach for such targeting is to rely on the existing LPG consumption patterns of consumers. Provide households exhibiting low consumption or a decline in LPG consumption over time with greater subsidy per cylinder to sustain health gains. Further, the subsidy levels could be dynamic with different slabs reflecting the previous year's consumption. Alongside, the de-duplication efforts to weed out households with multiple LPG connections must continue to avoid subsidy leakages. In the post-pandemic rebuilding, the continued support to the economically poor for sustaining LPG use is not merely a fiscal subsidy but also a social investment to free-up women's productive time and reduce India's public health burden. This social investment will yield rich dividends in the years ahead through a healthier and productive population.*

BRING DOWN BENZENE EMISSION AT FUEL OUTLETS

Fix vapour recovery system to improve air quality: NGT-appointed committee

A joint committee appointed by the National Green Tribunal (NGT) to study air pollution in Kerala has recommended the installation of vapour recovery system at fuelling stations and retrofitting of diesel vehicles with particulate filters to improve air quality. The report submitted before the Southern Bench of the tribunal pointed out that petrol refuelling stations were a major source of benzene emissions, volatile organic compounds, and particulate matter 2.5 concentration. "Therefore, installation of vapour recovery system is an important step in improving air quality. This is to be implemented in coordination with the Petroleum and Explosives Safety Organization [PESO] shortly," it said.

District-wise analysis

The joint committee comprises officials of the Ministry of Environment, Forest and Climate Change, Central and State Pollution Control Boards, and the CSIR-National Environment Engineering Research Institute, Chennai. The committee was directed to assess the ambient air quality levels in the State, especially in Thiruvananthapuram, Kollam, Kochi, Alappuzha, Kozhikode, Thrissur, Kasaragod, and Kannur. The panel recommended stringent action against industrial units that do not comply with emission norms.



Diesel generators

The Pollution Control Board has already suggested retrofitting of emission control devices of generators and replacing diesel generators with gas-based ones. Other recommendations include promoting battery-operated vehicles and banning old diesel vehicles in a phased manner, greening of open areas, and creation of green buffers along traffic corridors. The short term measures recommended include strict action against visibly polluting vehicles (to be initiated by the Motor Vehicles Department), introduction of wet / mechanised vacuum sweeping of roads, controlling dust pollution at construction sites, and ensuring transport of construction materials in covered vehicles.

Study in June

The tribunal has asked the committee to assess the air quality in the post-pandemic phase to study the scenario when activities are expected to peak. The committee has said that the study could be held in June, anticipating that educational institutions may reopen, and public transport will return to normal.

REGULATION REDUX

The Supreme Court's notice to the Centre on a *public interest plea to set up a national environmental regulator under the Environment (Protection) Act, 1986* revives an issue that successive governments have preferred to ignore, in spite of specific orders passed by the same court more than nine years ago. There is no consensus on what a new regulator can achieve, since official policy privileges ease of doing business. The draft Environmental Impact Assessment (EIA) Notification 2020, which seeks to advance that goal, makes no effort to disguise the desire to virtually eliminate civil society's role. It does not encourage the public to voice its views and report violations, while independent scrutiny of proposals is weakened. In fact, the EIA process, especially after the notification in 2006, has been heavily critiqued for conflicts of interest - the proponent of a project is responsible for producing the EIA report — while clearances under forest, wildlife, air and water quality laws are heavily weighted in favour of promoters. Rather than reform the system, in 2011 and 2014, the Centre rebuffed the apex court on the question of forming an independent regulator, contending that its orders in the Lafarge mining case were only in the nature of a suggestion, and later sought time but decided not to act. The current PIL is forcing the government to come up with a fresh explanation on why it has been sitting on its hands all along. Yet, for a national regulator to work, the government must recognise the limits to extractive growth, respect a neutral body and preserve the integrity of the environment. A key issue raised by the PIL is the lack of credibility of the EIA process, leading to reports that are often produced with the help of dubious expertise and manipulated data. In most cases, the proponents also ignore the views of communities that would be displaced, and are ill-equipped to assess the loss of biodiversity and ecosystem services such as clean air, water and farm productivity. The Centre and States must acknowledge the conflict arising from pressure on scarce land and ecosystems from polluting projects, which has already created clusters of industrial locations that are doing badly on *the CPCB's Comprehensive Environmental Pollution Index*. It is striking that this did not stop approvals for further polluting activity in some of these places, such as large coal-based power plants cleared in recent years in Kanpur, Cuddalore, and Angul in Odisha. What should concern the Centre is the laggardly pace at which multiple departments process project proposals,

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raising transaction costs and resulting in the clamour to dispense with regulation. The remedies lie in administrative reform. It is eminently feasible, for instance, to produce a whitelist of lands for industry, reclaiming polluted areas. What India cannot afford to do is further degrade its forests, rivers, wetlands and air, whose health is vital for its large population.

THE SIMLIPAL FOREST FIRE, AND WHY IT IS A MATTER OF CONCERN

The Simlipal forest reserve area frequently witnesses forest fires during dry weather conditions. A fire which started in the biosphere reserve area in February and has been raging for nearly a week now, was finally brought under control.

What is the Simlipal Biosphere reserve?

Similipal, which derives its name from 'Simul' (silk cotton) tree, is a national park and a tiger reserve situated in the northern part of Odisha's Mayurbhanj district. Similipal and the adjoining areas, comprising 5,569 sq km, was declared *a biosphere reserve* by the Government of India on June 22, 1994, and *lies in the eastern end of the eastern ghat.* Similipal is the abode of 94 species of orchids and about 3,000 species of plants. The identified species of fauna include 12 species of amphibians, 29 species of reptiles, 264 species of birds and 42 species of mammals, all of which collectively highlight the biodiversity richness of Similipal. Sal is a dominant tree species.

How intense was the fire?

According to the Regional Conservator of Forests Similipal, Maloth Mohan, a total of 399 fire points have been identified in the fringe areas bordering the forest, close to the villages. "All of them have been attended to, and the fire is now brought under control," he said.

How fire prone is Simlipal forest?

Generally, with the onset of summers and towards the end of autumn, the forest area remains vulnerable to forest fires. They are a recurrent annual phenomenon, but are also brought under control due to short span of precipitation. The months of January and February witness rainfall of 10.8 and 21 mm, respectively. The last incident of a major forest fire was reported in 2015. *This duration coincides with the shedding of deciduous forests in the forest areas.* The fallen leaves are more vulnerable to catching fire and facilitate the spreading of these forest fires quickly over the entire forest area.

What causes the fire in Simlipal?

Natural causes such as lighting or even soaring temperatures can sometimes result in these fires, but forest officials and activists say most of the fires can be attributed to man-made factors. With dried leaves and tree trunks, even a spark can lead to a raging fire. According to wildlife activist Bhanumitra Acharya, who has worked closely with the forest reserve for the last 28 years, *instances of poaching and hunting wherein the poachers set a small patch of forest on fire to divert the wild animals can lead to such fires.* "They do not douse the fire after hunting... this particular time is very vulnerable for fires to spread quickly," Acharya said. With dried leaves and tree trunks, even a spark can lead to a raging fire. Secondly, *jungle areas are also set on fire by villagers to clear the dry leaves on the ground for easy collection of mahua flowers. These flowers are used to*



prepare a drink which is addictive in nature. Villagers also believe burning patches of sal trees will lead to better growth when planted again. The transition zone of the reserve has 1,200 villages with a total population of about 4.5 lakh. Tribals constitute about 73 per cent of the population. This year, along with man-made factors, an advanced heat wave with the early onset of summer further deteriorated the condition.

How are these forest fires controlled and prevented?

Such fires are generally brought under control by natural rains. Forecasting fire-prone days and including community members to mitigate incidents of fire, creating fire lines, clearing sites of dried biomass, and crackdown on poachers are some of the methods to prevent fires. The forest fire lines which are strips kept clear of vegetation, help break the forest into compartments to prevent fires from spreading. This year, the forest department intensified its mitigation measures and formed a squad each for 21 ranges across the five divisions to closely monitor the situation. 1,000 personnel, 250 forest guards were pressed into action. 40 fire tenders and 240 blower machines were used to contain the blaze. Awareness programmes are also being initiated at a community level to prevent such incidents.



DreamIAS



BUSINESS & ECONOMICS

CAIRN WINS NOD FROM U.S., U.K., OTHER COURTS FOR \$1.4 BN AWARD

Courts in five countries including the U.S. and the U.K. have given recognition to an arbitration award that asked India to return \$1.4 billion to Cairn Energy plc — a step that now opens the possibility of the British firm seizing Indian assets in those countries if New Delhi does not pay, sources said. Cairn Energy had moved courts in nine countries to enforce its \$1.4 billion arbitral award against India, which the company won after a dispute with the country's revenue authority over a retroactively applied capital gains tax. Of these, the December 21 award from a three-member tribunal at the Permanent Court of Arbitration in the Netherlands has been recognised and confirmed by courts in the U.S., the U.K., the Netherlands, Canada and France, three people with knowledge of the matter said. Cairn has begun the process to register the award in Singapore, Japan, the United Arab Emirates and Cayman Islands, they said. The registration of the award is the first step towards its enforcement in the event of the government not paying the firm. Once the court recognises an arbitration award, the company can then petition it for seizing any Indian government asset such as bank accounts, payments to state-owned entities, airplanes and ships in those jurisdictions, to recover the monies due to it, they said. The tribunal had on December 21 ruled that the Indian government had breached an investment treaty with the U.K. Finance Minister Nirmala Sitharaman had on March 5 indicated the Centre's intent to appeal against the award when she said it was her 'duty' to appeal in cases where the nation's sovereign authority to tax is questioned. "The issue at stake is... not a matter of domestic tax law; it is rather whether the fiscal measures taken by the State... violate international law," the tribunal had said.

STATES OF DISTRESS

The COVID-19 pandemic has wreaked havoc not only on central government finances, but on state government finances as well. With economic activity slowing down sharply, the consequent fall in their own revenues, as well as transfers from the Centre, has led to states not only curtailing their expenditure, but also having to borrow more to finance their spending. *As a consequence, the average fiscal deficit of 13 states has risen to 4.5 per cent of gross state domestic product (GSDP) in the revised estimates for 2020-21, up from the budgeted estimate of 2.8 per cent according to a report from SBI. Next year, in line with the fiscal consolidation path adopted by the Centre, states too have projected to bring down their deficits to 3.3 per cent of GSDP.* The extent of the revenue hit that these states have faced in the current financial year is staggering. As against a budgeted goods and services tax (GST) target of Rs 5.86 lakh crore in 2020-21, collections have fallen by 21.2 per cent to Rs 4.62 lakh crore. In states like Kerala and Uttar Pradesh, the report shows, revenue loss is in excess of 30 per cent. A similar decline is observed in state VAT (value added tax) and sales tax collections. While this is mainly levied on crude oil products, and thus collections should have benefited due to an increase in taxes levied, the decline in demand has been far greater. Collections for these 13 states through this route have fallen by 14.7 per cent from budgeted expectations of Rs 2.62 lakh crore to Rs 2.23 lakh crore in 2020-21. As a consequence, states have had to curtail their spending. But several states, including Bihar, Chhattisgarh, Karnataka, Odisha and West Bengal, have spent more than what they had budgeted for on health and family welfare during this year. For the next year, too, most of these states have projected sharp increases in spending in



these areas. Considering that healthcare is primarily the domain of the states, this increase in spending during a health emergency was much needed. It is disappointing that in several states, spending on health has actually fallen during this period. Equally disconcerting is the sharp cut backs on capital expenditure by states during this year. At a time when private consumption and investment demand are subdued, higher government spending, both at the central and state level, is needed to offset the decline. Given the extent of the economic distress, especially in the informal parts of the economy, far greater policy support is needed.

GOVT SHARE SALES

The government's ambitious disinvestment drive is expected to send the primary market — or the initial public offering (IPO) market — into overdrive in the coming months. The move offers great opportunities to public sector firms and the government to raise funds, and gives investors a chance to become shareholders of iconic institutions like Life Insurance Corporation (LIC).

What are the plans for disinvestment?

In Budget 2021-22, the government announced a strategic sale/ disinvestment policy for four strategic sectors — including banking, insurance and financial services — in which it will have a "bare minimum presence". Apart from strategic sale through which the government completely exits PSUs, the Centre has lined up minority stake sale through various routes including offer for sale (OFS) and IPO. The biggest will be the IPO of LIC. The Budget has also announced privatisation of two public sector banks (in addition to IDBI Bank) and one general insurance company in the upcoming fiscal. Privatisation of the two banks will set the ball rolling for a long-term project that envisages only a handful of state-owned banks, with the rest either consolidated with strong banks or privatised. The Centre has pegged the disinvestment target for the upcoming fiscal at ₹1.75 lakh crore. This is compared to ₹2.1 lakh crore budgeted in 2020-21, of which ₹21,302.92 crore has been raised so far while the Budget has pegged revised estimates at ₹ 32,000 crore. OFS has been the preferred route for disinvestment as the government raised ₹ 4,924 crore through OFS of HAL, ₹ 4,473 crore through IRCTC OFS and ₹ 2737 crore through SAIL OFS. IPOs of IRFC and RailTel have yielded ₹1541.37 crore and ₹817.60 crore, respectively. Also, increasing the FDI limit in insurance from 49% to 74% is expected to lead to an unprecedented expansion of the insurance sector. This could also give retail investors the chance to ride this profitable sector on a long-term basis.

OPENING MOVE

Weeks after Finance Minister Nirmala Sitharaman proposed to increase the foreign direct investment limit in the insurance sector in her budget speech, *the Union cabinet on Wednesday approved a proposal to amend the Insurance Act 1938 for raising the FDI limit to 74 per cent, from the current 49 per cent.* A bill to amend the Act will be introduced in the ongoing budget session of Parliament. Coming at a time of continuing protests by farmers over the government's new farm laws, the government's decision to push ahead underlines its commitment to carry through the reforms it has committed to. *Insurance penetration in India continues to lag far behind other Asian economies, despite the presence of a large number of insurance companies — there are 24 life insurance companies and 34 non-life insurance companies in the country. As per the Economic Survey 2020-21, while insurance penetration (estimated as a percentage of insurance premium to*



GDP in India has risen from 2.71 in 2001 to 3.76 in 2019, it is far lower than in countries like Malaysia (4.72), Thailand (4.99) and China (4.3). A closer look at the data shows that penetration of life insurance in India stands at 2.82 (it has declined from 3.1 in 2013), while that of non-life was estimated at 0.94 per cent in 2019. In comparison, the global insurance penetration stands at 3.35 per cent in the life segment, and 3.88 in the non-life segment. Similarly, even as the insurance density (the ratio of premium to population) in India has risen from \$11.5 in 2001 to \$78 in 2019, it is way lower than other Asian economies — it stood at \$536 in Malaysia, \$389 in Thailand and \$430 in China. Part of the reason for low penetration can be traced to the fact that increasing coverage is a costly proposition considering the capital requirements imposed on insurance firms. Thus increasing the FDI limit could lead to a capital infusion in insurance companies, helping them expand their coverage. However, a look at the existing FII holdings in insurance firms shows that even the existing limits haven't been fully utilised. Average foreign investment in the insurance companies, both life and non-life, remains well below the current limits. It is likely that this move will now provide greater comfort to foreign investors. The country's favourable demographics, and the extent of the underinsured market do add up to an attractive proposition. The move is also likely to benefit the smaller players who currently have limited access to long-term committed sources of finance, fostering greater competition as a consequence. This will also bring additional benefits in the form of greater technical know-how, global expertise in creating new products, and better underwriting skills — all to the advantage of the consumer.

LIC-OWNED IDBI BANK EXITS PCA FRAMEWORK

The Reserve Bank of India (RBI) on Wednesday removed IDBI Bank from its enhanced regulatory supervision, or the Prompt Corrective Action (PCA) framework, after almost four years, on improved financial performance. The RBI had placed IDBI Bank under the framework in May 2017, after it had breached the thresholds for capital adequacy, asset quality (net NPAs were over 13% in March 2017), return on assets and leverage ratio. It was noted as per published results for the quarter ended December 31, the bank was not in breach of the PCA parameters on regulatory capital, net NPA and leverage ratio, the RBI said. The LIC-owned IDBI Bank had reported a standalone net profit of ₹378 crore for the December quarter. The lender had reported a net loss of ₹5,763 crore a year earlier.

BANKS WROTE OFF ₹1.2 LAKH CR. IN 9 MONTHS

Banks have written off bad loans to the tune of ₹1.15 lakh crore during the first three quarters of the current fiscal (FY21), the Lok Sabha was informed on Monday. "As per RBI data, scheduled commercial banks (SCBs) have written off loans of ₹2,36,265 crore, ₹2,34,170 crore and ₹1,15,038 crore during FY2018-19, FY2019-20 and the first three-quarters of FY2020-21, respectively," Minister of State for Finance Anurag Singh Thakur said in a written reply to the Lok Sabha.

WHY YOU DIDN'T GET THAT OTP: MARKETERS, A TRAI RULE, A COURT CASE

On Monday, around 40 crore SMSes sent by banks, government authorities, e-commerce companies, etc. were not delivered to intended recipients. The SMSes included confirmations of registration, one-time passwords (OTPs), and transaction messages. This happened after telecom operators enforced



a 2018 regulation issued by the sectoral watchdog. Around 100 crore commercial messages on average are sent by companies to customers every day.

What are ‘commercial messages’?

A commercial message can contain both solicited and unsolicited content. Messages such as OTPs for financial transactions, notifications about a transaction, confirmations for registrations, or orders placed on e-commerce websites are solicited; promotional messages selling financial products and real estate deals, etc. may be seen as unsolicited commercial communications. Mobile phone users have for years complained about unsolicited “pesky” calls and messages.

What has TRAI done about spammy communications?

Back in 2012, when mobile companies tried to monetise the popularity of SMSes by offering packs that allowed users to send unlimited free messages after buying a special tariff voucher, the telecom regulator had ruled that beyond 100 messages per day, every message would have to cost at least 50 paise. Last June, the regulator did away with this regulation, citing newer technology-based rules to curb spam messages. It also issued ‘do-not-disturb’ rules, under which consumers could choose the categories of commercial messages and calls they wished to receive, and could complain if they received messages from a category they had not chosen. However, these rules did little to reduce unsolicited commercial communications.

What did the 2018 regulation do?

In 2018, TRAI introduced The Telecom Commercial Communications Customer Preference Regulations (TCCCPR), which defined an architecture with checkpoints at three ends — the sender of the SMS, the telecom operator, and the customer. To ensure effectiveness, it put in place technology-based requirements at each stage — including “scrubbing” of messages, *a consent register to keep a record of the permission given by the customer, and a distributed ledger to maintain a record of all entities registered to carry out telemarketing-related functions.*

What changed for senders of SMSes?

Senders, typically commercial entities, would have to register themselves. This built upon an older requirement under which a message or call from an unregistered number would result in a ban on that number — the entity would now have to register not only itself, but also the template in which its content was to be communicated.

What would happen at the telecom operators’ end?

Operators would examine the list of numbers provided by the sending entity to check whether commercial communications can be sent to the customer after verifying the preference and the consent. This process would also ensure that the messages were being sent as per the registered template.



And what would change for customers?

They could whitelist certain categories or entities from which they wished to receive commercial messages. However, telemarketers can still call through unregistered mobile or landline numbers — and while these can be banned post facto, a mechanism to fully restrict them is still lacking.

If the regulation was notified in 2018, what happened on Monday?

What happened on Monday — when several million messages, including important ones, were not delivered — has its roots in a case filed in Delhi High Court last May by financial service firm Paytm. *The company argued that the failure of telecom operators to fully implement the 2018 regulation had allowed fraudsters to make calls and send SMSes pretending to be company representatives. In February this year, the court asked the telecom companies and TRAI to ensure “complete and strict” implementation of TCCPR, 2018. Telecom operators claim to have then sent repeated notices to principal entities — or companies on behalf of which the commercial messages are sent — to register their communication templates.* On Monday, entities that had not registered their templates had their messages scrubbed out of the system.

So what happens next?

On Tuesday, in light of the inconvenience faced by thousands of customers, TRAI suspended the enforcement of these regulations for seven days, to allow the sending entities to register their templates. “...TSPs (Telecom Service Providers) are being requested to inform their principal entities to take immediate necessary action...and facilitate their registration...in a time-bound manner,” the regulator said in a release.

CENTRE AMENDS TELECOM LICENCE NORMS

Telecom service providers will be able to procure equipment only from ‘trusted sources’ as defined by the government. *The has incorporated the guidelines of national security directive (NSD) on telecommunication sector that will help in controlling installation of network equipment from China and other non-friendly countries.* Under the provisions of this directive, the government will declare a list of trusted sources and products for installation in the country’s telecom network.

The notification, seen as a step towards excluding Chinese telecom equipment makers such as Huawei and ZTE, will come into effect from June 15. Notably, Chinese telecom gearmaker Huawei has had its run-ins in the past with the governments of Canada and the U.S. The U.S. has alleged that the firm did not comply with its cybersecurity and privacy laws.

Service providers have to take permission from the National Cyber Security Coordinator (NCSC) for upgradation of existing networks utilising equipment not designated as trusted products. “The government, through the Designated Authority [the NCSC], will have the right to impose conditions for procurement of telecommunication equipment on grounds of defence of India, or matters directly or indirectly related thereto, for national security,” according to the DoT.



SPECTRUM SALE, PRICE TEST AND THE ROAD AHEAD FOR 5G

Tuesday saw the end of India's first auction of telecommunications spectrum in five years, with the government generating a revenue of ₹77,815 crore from the exercise. Mukesh Ambani-led Reliance Jio accounted for close to 60% of the spectrum bought, followed by Bharti Airtel and Vodafone Idea. On offer was over 2,308 megahertz (MHz) of spectrum valued for the auction by the government at ₹3.92 lakh crore, and bids were successfully received for 37% or 855.6 MHz. The auction lasted less than two days. The spectrum will be assigned to bidders for a period of 20 years.

A lot has changed in the industry since 2016, when the previous auction took place. The participants then included Tata Teleservices, Idea Cellular, Reliance Jio, Bharti Airtel, Vodafone India, Reliance Communications and Aircel. In the last few years, there has been a consolidation in the industry, as a result of which there are only three major players now — Reliance Jio, Bharti Airtel and Vodafone Idea. An IIFL Securities report last December suggested that Jio and Bharti Airtel are, by increasing their market share, shaping the industry toward “a near two-player structure”. On the other hand, Vodafone Idea, it said, is struggling financially. In recent years, while the user base has grown, the industry itself has witnessed unforeseen financial stress in the form of an important court case against it. The reference is to the Supreme Court verdict last September that ordered telecom players to share revenues coming from even non-telecom services with the government. It gave telecom companies *10 years to pay their adjusted gross revenue (AGR) dues to the government, with 10% of the dues to be paid by March 31, 2021. Vodafone Idea and Bharti Airtel were the worst-hit by this order.*

Why was an auction needed now?

All three players needed to renew some of their spectrum as the validity was set to expire later this year.

Wasn't this for the 5G rollout?

No. The auction for that is likely to happen later. In the auction that was held on March 1 and 2, the government offered spectrum for 4G in the following bands: 700 MHz, 800 MHz, 900 MHz, 1,800 MHz, 2,100 MHz, 2,300 MHz and 2,500 MHz. The “king” in 5G, the C-band, which is the band between 3,300 MHz and 4,200 MHz, was not on offer in this round of auctions.

What do these bands stand for?

To explain this, we have to begin with *the term 'spectrum', which, in this context, stands for the portion of the electromagnetic wave range that is suitable for communication purposes.* As this is a huge economic resource, which also provides unimaginable benefits to any population, it is controlled by the government.

Spectrum bands have different characteristics, and this makes them suitable for different purposes. *In general, low-frequency transmissions can travel greater distances before losing their integrity, and they can pass through dense objects more easily. Less data can be transmitted over these radio waves,* however. *Higher-frequency transmissions carry more data, but are poorer at penetrating obstacles.* In this context, hertz is a measure of the number of cycles per second, and



1 megahertz stands for 1 million hertz. Telecom providers cover their bases by using both low and high-frequency bands.

How do analysts view the auction strategy of these three companies?

Though the auction is largely seen as an opportunity to renew expiring spectrum, analysts say Reliance Jio's "higher-than-expected" spend is an attempt to improve network experience. The Edelweiss report says Reliance Jio could have gone for it because "in recent quarters, Bharti Airtel has onboarded a disproportionately higher share of smartphone subscribers leveraging its superior network". Vodafone Idea's low-key presence in the auction is linked to its balance-sheet constraints. It is also likely that the players are preserving their resources for the upcoming 5G era.



DreamIAS



LIFE & SCIENCE

UNDERSTANDING HUMAN BRAINS

Using brain organoids – mini brains developed in a lab – built using stem cells, University of California San Diego School of Medicine researchers have been able to *compare modern humans to other primates, such as chimpanzees and bonobos, which until now was not thought possible, particularly when the species is already extinct.* The researchers catalogued the differences between the *genomes of diverse modern human populations and the Neanderthals and Denisovans, who lived during the Pleistocene Epoch, approximately 2.6 million to 11,700 years ago.* Mimicking an alteration they found in one gene, *the researchers used stem cells to engineer 'Neanderthalised' brain organoids.* The team initially found 61 genes that differed between modern humans and our extinct relatives (Science). *One of these altered genes – NOVA1 – caught the researchers' attention because it is a master gene regulator, influencing many other genes during early brain development. The researchers used CRISPR gene editing to engineer modern human stem cells with the Neanderthal-like mutation in NOVA1.* Then they coaxed the stem cells into forming brain cells and ultimately Neanderthalised brain organoids, says a University press release. Neural network changes in Neanderthalised brain organoids parallel the way newborn non-human primates acquire new abilities more rapidly than human newborns.

1 IN 3 WOMEN GLOBALLY EXPERIENCE PHYSICAL OR SEXUAL VIOLENCE

One in 3 women – about 736 million individuals – are subjected to physical or sexual violence by an intimate partner or sexual violence from a non-partner in their lifetimes, a number that has remained largely unchanged over the past decade. *This violence starts early – 1 in 4 young women (aged 15-24 years) who have been in a relationship will have already experienced violence by an intimate partner by the time they reach their mid-twenties, according to new data released by WHO and partners at a virtual media conference on Tuesday.* The report presents data from the largest ever study of the prevalence of violence against women, conducted by WHO on behalf of a special working group of the United Nations. Based on data from 2000 to 2018, it updates previous estimates released in 2013. The estimates presented in the report are based on data from 161 countries and areas for intimate partner violence and 137 for non-partner sexual violence, obtained through a comprehensive review of all available prevalence data from studies conducted between 2000 and 2018. While the numbers reveal already alarmingly high rates of violence against women and girls, they do not reflect the ongoing impact of the Covid-19 pandemic. The report, 'Global, regional and national estimates for intimate partner violence against women and global and regional estimates for non-partner sexual violence against women' was prepared by *WHO and the UNDP-UNFPA-UNICEF-WHO-World Bank Special Programme of Research, Development and Research Training in Human Reproduction (HRP) for the United Nations Inter-Agency Working Group on Violence Against Women Estimation and Data.* Violence disproportionately affects women living in low- and lower-middle-income countries. An estimated 37% of women living in the poorest countries have experienced physical and/or sexual intimate partner violence in their life, with some of these countries having a prevalence as high as 1 in 2. The regions of Oceania, Southern Asia and Sub-Saharan Africa have the highest prevalence rates of intimate partner violence among women aged 15-49, ranging from 33% to 51%.The



lowest rates are found in Europe (16%-23%), Central Asia (18%), Eastern Asia (20%) and South-Eastern Asia (21%). Younger women are at highest risk for recent violence. Among those who have been in a relationship, the highest rates (16%) of intimate partner violence in the past 12 months occurred among young women aged between 15 and 24. National data collection on intimate partner violence has increased significantly since the previous 2010 estimates, although challenges remain with data quality and availability. Sexual violence, in particular, remains one of the most taboo and stigmatizing forms, and hence continues to be vastly underreported. The prevalence estimates of lifetime for physical and/or sexual intimate partner violence among ever married/partnered women aged 15-49 years was at least 35% in India, according to the report. According to experts at International Institute of Population Sciences (IIPS) Mumbai, the findings reflect what data have shown in National Family Health Survey-5. According to NFHS-5, over 30% women suffered physical and sexual violence by their spouses in five of the 22 surveyed states and Union Territories, namely Karnataka, Assam, Mizoram, Telangana and Bihar. WHO and partners warned that the Covid-19 pandemic has further increased women's exposure to violence, as a result of measures such as lockdowns and disruptions to vital support services. Many countries have seen increased reporting of intimate partner violence to helplines, police, health workers, teachers, and other service providers during lockdowns, and the full impact of the pandemic on prevalence will only be established as surveys are resumed, the report has said. Dr Tedros Adhanom Ghebreyesus, WHO Director-General, said unlike Covid-19, violence against women cannot be stopped with a vaccine. It can only be fought with deep-rooted and sustained efforts – by governments, communities and individuals – to change harmful attitudes, improve access to opportunities and services for women and girls, and foster healthy and mutually respectful relationships, he said. "It's deeply disturbing that this pervasive violence by men against women not only persists unchanged, but is at its worst for young women aged 15-24 who may also be young mothers. And that was the situation before the pandemic stay-at home orders. We know that the multiple impacts of COVID-19 have triggered a "shadow pandemic" of increased reported violence of all kinds against women and girls," UN Women Executive Director Phumzile Mlambo-Ngcuka said.

SLOWLY DOES IT

The internet has a need for speed. And where there's need, there's leverage. The Russian government, in its battle with Twitter and other foreign social media entities, has decided to exploit this weakness. *Roskomnadzor, the country's media watchdog, has announced that it will slow down the speeds at which Twitter is available to users in the country — a roundabout, and effective, form of censorship.* The logic is simple enough: Even the most committed anti-government activist, spoiled by high-speed internet, will lack the patience to watch a screen load slowly, a throwback to the dial-up era. Roskomnadzor's censorship is roundabout in more ways than one. The official reason for the enforced "slowdown" is Twitter's failure to delete posts related to drugs, suicides and pornography. Vladimir Putin has also brought up an issue that has a particular international resonance at the moment: Social media companies are increasingly being seen as undermining the sovereign authority of nation-states. More likely, though, is the fact that the internet has been used extensively by anti-Putin politicians like Alexei Navalny and their supporters. For example, during the massive protests against Navalny's arrest upon his return to Russia in January — after surviving an assassination attempt via poison — Roskomnadzor warned social media companies that they would be fined. But when dealing with billion-dollar

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international companies, a slowdown is more effective than a one-time fine. Russia, the inheritor of the Soviet state, certainly knows its way around controlling information. Remember, its leader is a former KGB member and it's no surprise that it found a loophole — between outright “shutdowns”, so favoured in India, and the painful task of negotiating legislation to control the internet. But there is a possible spoke in the wheel. *Used to shutdowns, patchy electricity and just slow and intermittent internet, Russians, like Indians, could sail through the slowdown.*

WHAT'S CHANGING ON GOOGLE

“The predominant business model for commercial search engines is advertising... We expect that advertising funded search engines will be inherently biased towards the advertisers and away from the needs of the consumers... Furthermore, advertising income often provides an incentive to provide poor quality search results...” These are excerpts from the footnotes of a paper that Google founders Sergey Brin and Larry Page wrote over two decades ago. The perils of an advertising-funded model are lucidly detailed in an appendix with Brin and Page's paper, ‘The Anatomy of a Large-Scale Hypertextual Web Search Engine’, written in 1998 when both of them were in Stanford University. *Alphabet Inc's announcement on Wednesday that its ad tools would no longer support individual tracking of users across websites from 2022, alongside its January 2020 statement that announced an intent to end support for third-party cookies in its Chrome browser, mark a half-step in the direction of the ad-insulated model for search engines that the Google founders had propounded in their paper.*

The Google proposal

Google has said it plans to wean itself off user-tracking “cookies” that, while allowing it to deliver personalised ads to users, has also triggered a strong pushback from privacy activists. *Cookies are strands of code that websites deliver to a visitor's browser and these tag along as the visitor moves on to other websites. These cookies can then be leveraged to target advertisements.* Google has said it would end support for cookies in Chrome by early 2022 once “it figures out how to address the needs of users, publishers and advertisers” and comes up with tools to “mitigate workarounds”. The company said in a blog post Wednesday it will only use “privacy-preserving technologies” that rely on methods like anonymisation or aggregation of data. *In January 2020, Google had said it would end support for third-party cookies in Chrome.* A blog post from David Temkin, director of product management for ads privacy and trust, said Google had received questions about whether it will “join others in the ad tech industry who plan to replace third-party cookies with alternative user-level identifiers.” “Today, we're making explicit that *once third-party cookies are phased out, we will not build alternate identifiers to track individuals as they browse across the web*, nor will we use them in our products,” the Google post said. To achieve that, Google said it has launched its “*Privacy Sandbox*” initiative “to find a solution” that protects user privacy and lets content remain freely available on the open web. “This approach effectively hides individuals ‘in the crowd’ and uses on-device processing to keep a person's web history private on the browser,” Google product manager Chetna Bindra explained in unveiling a proposed system called *Federated Learning of Cohorts*. FLoC, according to Google, *proposes a new way for businesses to reach people with “relevant content and ads” by clustering large groups of people with similar interests, as opposed to deploying cookies that track individual users. The new approach effectively hides individuals “in the crowd” and keeps their web history private on the browser.* By creating simulations based on the



principles defined in Chrome's FLoC proposal, Google's ads teams claim to have tested this privacy-first alternative to third-party cookies. *"Our tests of FLoC to reach in-market and affinity Google Audiences show that advertisers can expect to see at least 95% of the conversions per dollar spent when compared to cookie-based advertising,"* Google said in its blog.

Digital advertising

As things stand, almost 90% of Google's revenue is derived from advertising. The same goes for most other big search engines. *There are some such as DuckDuckGo, which works in broadly the same way as Google by combining data from sources with its own web crawler, to sort out and display results.* But it does not store IP addresses or user information, and describes itself as "the Internet privacy company" and thereby pitches Google as an "Internet advertising company". Interestingly, Brin and Page's 1998 paper specifically illustrated the conflict by way of an example, something that is relevant even now. "For example, in our prototype search engine one of the top results for cellular phones is 'The Effect of Cellular Phone Use Upon Driver Attention', a study which explains in great detail the distractions and risk associated with conversing on a cell phone while driving... It is clear that a search engine which was taking money for showing cellular phone ads would have difficulty justifying the page that our system returned to its paying advertisers." With this example in focus, the paper concludes "that advertising funded search engines will be inherently biased towards the advertisers and away from the needs of the consumers' ". All of this combines well with Google's old motto: "Don't be evil"; but things haven't exactly gone as per the ideals espoused by its founders. While Google Search is a great product from a consumer point of view and is free at the point of use, the company rakes in over \$100 billion annually from advertising based on cookie-based user tracking — something that has come in for increasing amounts of flak from privacy activists and in jurisdictions such as the EU. The new approach signifies a change in track that broadly aligns with what the founders had espoused before Google was launched. This attempt at self-regulation clearly comes at a time when Google and other tech majors are under fire across geographies. *But in an industry where many companies rely on tracking and targeting users, the move by the market leader in digital advertising is expected to put pressure on other players. Facebook seems to have turned the other direction by indicating that it is launching a new campaign aimed at proving the need for personalised advertising, amid an ongoing battle with Apple. Apple had begun to roll out privacy changes to iOS 14 that will require users to opt in to allow this kind of tracking, something that has Facebook seeing red.* Earlier this month, Facebook unveiled an initiative, titled 'Good Ideas Deserve to be Found', that makes the case that personalised ads help Facebook users discover small businesses, particularly during the pandemic. *"Every business starts with an idea, and being able to share that idea through personalised ads is a game changer for small businesses," Facebook said in a blog post announcing the theme. "Limiting the use of personalised ads would take away a vital growth engine for businesses."*

Big money

Whichever side they're on the privacy debate, a lot of money is riding on the changes in the formats of how consumers are tracked. *Google, Facebook and Amazon are the top three digital ad platforms across most markets, with the three together capturing between 50-70% of all digital ad dollars, according to data from agencies such as eMarketer and IAB.* Morgan Stanley analysts had late last year said they believe online advertising can grow 20% in 2021, with Facebook, Google and Pinterest leading the pack. In India too, Google had made a filing in November that showed its



revenues from India had grown 35% to about Rs 5,594 crore in 2019-20 while Facebook India's revenues grew by 43% year-on-year to about Rs 1,277.3 crore in that year, according to figures estimated from their regulatory filings that were shared by companies data platform Tofler.

JNCASR TEAM DEVELOPS POTENTIAL DRUG CANDIDATE FOR ALZHEIMER'S

Researchers from Jawaharlal Nehru Centre for Advanced Scientific Research (JNCASR), Bengaluru, have *developed a small molecule that helps disrupt and reduce formation of amyloid plaques in the brains of mice with Alzheimer's Disease*. The group is planning to take this molecule, which is a potential drug candidate, forward for clinical studies. The results of their study were published in the journal *Advanced Therapeutics*.

Alzheimer's worldwide

The *World Alzheimer Report 2015 which was an analysis of the prevalence, incidence, cost and trends in Alzheimer's Disease documented the fact that in 2015, over 46 million people worldwide were living with dementia*. The report estimated that this number would increase to more than 131.5 million by 2050. *Alzheimer's Disease is a progressive and irreversible disorder of the brain, which affects memory and thinking skills*. One main feature of the disease is the *deposition of amyloid plaques and neurofibrillary tangles in the brain. Amyloid precursor proteins play a role in the pathophysiology of Alzheimer's disease by producing the Amyloid-beta peptides of which in particular Amyloid Beta peptide 42 is particularly toxic in the formation of the amyloid plaques*. This was targeted by the researchers, using the small **molecule TGR63**. Usually, in people, the symptoms start manifesting when they are in their sixties, though the onset is much earlier. In research that spans the course of a decade, the group led by T Govindaraju of JNCASR selected six candidate molecules **TGR60-65**, all of which had the same core structure, and put them through in vitro tests to see whether these could check the growth of amyloid plaques and also dissolve preformed ones. "All the designed compounds were screened through in vitro and cellular assays. The data from these experiments revealed superior activity of TGR63 and hence we took this molecule forward for animal studies," says Prof. Govindaraju, who heads the Bioorganic Chemistry Laboratory at the institute.

Effect on mice

Mice are often used as model animals to study Alzheimer's Disease. When genetically modified to show Alzheimer's, the disease starts manifesting at about 4-5 months, by 8-10 months there are mild symptoms and by 12-14 months they reach advanced stage of disease as indicated by amyloid plaques and cognitive decline and loss of memory. The experiment involved using transgenic mice which had Alzheimer's Disease induced in them. The animals were subjected to three behavioural tests to verify that TGR63 really did reduce the amyloid burden and, furthermore, was not toxic to the mice. *In one of the tests, the animals were let to swim in relatively large pool of water. A small plank was placed in a specific spot and the mice learnt to swim towards to spot and save themselves by climbing on to the plank. Later the mice were made to repeat the task, but the plank had now been removed. The behaviours of four categories of mice were observed – mice without Alzheimer's, mice without Alzheimer's which had been treated with TGR63, mice with Alzheimer's which were treated with TGR63 and mice with Alzheimer's which had not been treated with TGR63. In the above task, while the first three categories of mice swam back to the spot where*



they had learned to find the plank, the last category – mice with AD and no treatment – did not remember the way back.

Brain analysis

“Further, reduction of amyloid plaques was studied by brain analysis,” says Prof. Govindaraju. The ten-year-long research broadly evolved in five stages, according to him: design of the set of molecules; in vitro evaluation, in cellulo evaluation, computational study and in vivo evaluation and cognitive assessment. “I am in discussion with pharma companies to take TGR63 to clinical studies,” says Prof. Govindaraju.

SAVING THE SEA GIANTS

Two decades ago, the coastal communities of Gujarat knew the ‘barrel,’ but not the whale shark. *It was a commonly used name for the fish, not because of its size but because harpoons and barrels were used while hunting it. But today, they are referred to as vhali which means “dear one” in Gujarati. The change in perception is due to the conservation efforts of Wildlife Trust of India. A recent study published in Nature, one of the world’s leading science journals, states that the global population of sharks and rays has crashed by over 70% in the past five decades. According to a report by the Central Marine Fisheries Research Institute, India is now the second largest shark fishing nation in the world, following Indonesia.* This makes present-day, grassroots conservation efforts — by NGOs and State Forest Departments alike — all the more worthy of the spotlight.

Starting steps

It was in *2001 that, in a conservation attempt, whale sharks were included in Schedule I of the Wildlife (Protection) Act of India, 1972, rendering the capture and killing of the fish a cognisable offence. It was the first-ever species to be protected under this Act, after which the Ganges shark (Glyphis gangeticus) and spartooth shark (Glyphis glyphis) were added to it.* Sajan John, head of marine projects at Wildlife Trust of India, adds, “However, enforcing the fishing regulations for these sharks was not straightforward, as whale sharks were usually hauled in as bycatch when fishermen were targeting economically benefiting species. *The meat of whale sharks is not very edible, it is the liver that is the most important for commercial trade, while oil from the fish is used for water-proofing boats.*” Despite the protection, whale shark landings were common on India’s West coast, especially in Gujarat. This is when Wildlife Trust of India, decided to launch awareness and conservation programmes in the State to educate the fishermen about the species. “The decision of protecting the species was taken at an apex level but the information never trickled down to the fishermen. *That is why we launched our Whale Shark Conservation Programme in Junagadh in 2004 and thereafter spread to Gir Somnath, Porbandar, and Dwarka,*” explains Sajan. Workshops were conducted in villages and street plays were written and enacted to convey the consequences of hunting whale sharks. “We also roped in leaders from local communities to head our campaigns so that we did not look like outsiders calling them out for their practices,” adds Sajan. Due to the consistent efforts of WTI, whale shark landings in Gujarat reduced and fishermen started releasing the fish during accidental encounters. But, the sharks that were saved in Gujarat were hunted down South on the coasts of Maharashtra, Kerala and Lakshadweep. “Once we realised this, we launched awareness campaigns in Kerala and Lakshadweep. Like Gujarat, we have street plays in coastal villages and have been part of carnivals to raise awareness. It is due to



these efforts that the last whale shark landing from Gujarat was reported in 2005 and the incidents have reduced drastically in Kerala and Lakshadweep. Since 2007, the fishermen in Gujarat have reported spotting of over 50 whale pups. We are now geo-tagging these fishes to know their whereabouts," he adds. Meanwhile, on the East coast, the Forest Department of Andhra Pradesh along with The *East Godavari River Estuarine Ecosystem (EGREE) has been conducting awareness programmes and workshops to educate fishing communities since 2013. "In 2015, a survey was conducted in almost 500 fishing villages and hamlets across the State about whale shark sightings. In the process, over 650 fishermen were interviewed of which 90% knew about the whale shark, 50% had seen the fish and over 11% had seen a pup,"* says C Selvam, Deputy Conservator of Forests (WL), Eluru. Kakinada, Visakhapatnam, Machilipatnam and Nizampatnam are major shark landing areas in the State. *Blacktip sharks, bull sharks, pelagic and big-eye thresher shark, smooth and scalloped hammerhead, and tiger sharks are the species that are hunted frequently on these coasts. "Of these, several species like smooth and scalloped hammerheads are classified as threatened species by International Union for Conservation of Nature (IUCN). Scalloped hammerheads are categorised on the IUCN Red List as globally endangered,"* adds Selvam.

Long road ahead

Irrespective of their size or habitat, humans have found a way to hunt most of the sharks and use every part of them. The skin is used for leather which is made into boots and bags, and liver for oil. The fins were earlier harvested for shark fin soup, a sought-after delicacy in Southeast Asia and China. However, exporting shark fins was banned in India in 2015. It was easier raising awareness about whale sharks as the fish is protected under the Wildlife (Protection) Act but this could not be done for others. Adding to this Sajan says, "The basic question that fishermen ask is whether it is illegal to kill the fish and when the answer is no, we have lost the battle there. We need to have more species under the Act so that we can save them from extinction."

WHAT NIO SCIENTISTS MAPPING GENOMES IN THE INDIAN OCEAN HOPE TO LEARN

A 30-member team of scientists and researchers from the National Institute of Oceanography (NIO) in Panaji and another 30 crew members onboard its research vessel Sindhu Sadhana will spend the next three months traversing the course of over 10,000 nautical miles in the Indian Ocean on a research project to reveal the internal working of the body of the ocean at a cellular level. The first-of-its-kind *research project in the country is aimed at understanding the biochemistry and the response of the ocean to climate change, nutrient stress and increasing pollution.* Conceptualised over the last two to three years, the research project has been undertaken at a cost of Rs 25 crore and will take three years to complete, NIO Director Sunil Kumar Singh said.

What is the NIO's research project about?

The research project that will be flagged off at Visakhapatnam on Thursday will see the team of 30 scientists and researchers — including six women — course the Indian Ocean from India's east coast, all the way to Australia, then onward towards *Port Louis in Mauritius and up to the border of Pakistan, off India's west coast, gathering samples for genome mapping of microorganisms in the Indian Ocean.* The researchers will collect samples from various stretches of the ocean at an average depth of about 5 km. *Just like gene mapping is carried out on blood samples collected from*

3RD FLOOR AND 4TH FLOOR SHATABDI TOWER, SAKCHI, JAMSHEDPUR



humans, the scientists will map these in the bacteria, microbes found in the ocean. The mapping of the Deoxyribonucleic acid (DNA) and Ribonucleic acid (RNA) will show the nutrients present in them, and also those lacking in different parts of the ocean.

What will the scientists learn from this genome mapping in the ocean?

NIO Director Sunil Kumar Singh explained that this will help scientists understand the internal working of the ecosystem of the Indian Ocean. The research will enable scientists to identify the factors controlling the changes in RNA, DNA in the oceans, and various stressors impacting them. *The ocean has several micronutrients like nitrates, sulphates and silicates, minerals like iron ore and zinc, and trace metals like cadmium or copper. The genome mapping will show the presence of which these microbes have adapted to, in addition to their reaction to atmospheric carbon dioxide. This will help in identifying which part of the ocean has a greater concentration of which mineral or element. Scientists will then use these as tracers to tackle the causative factors for excess or lack of a certain mineral or element and suggest possible solutions for their mitigation. In addition, the large pool of RNA, DNA library of the oceans will be utilised for using the Indian Ocean to human benefit in the future.* According to the NIO, rapid advances in sequencing technologies and bioinformatics have enabled exploration of the ocean genome. *“Exploring the ocean genome will enable an increase in the growing number of commercial biotechnology applications, extending from multiple anticancer treatments to cosmetics and industrial enzymes, to antiviral molecules... Exploration of the ocean at a genetic level will result in new insights into taxonomy and adaptive capacity that can help optimize conservation efforts,”* the NIO stated in its project abstract.

What is the objective of studying the interactions of trace metals and marine plant and animal life?

Trace metals like cadmium or copper are supplied to oceans via continental run-offs, atmospheric deposition, hydrothermal activities and continental shelf interaction. They are essential for ocean productivity. *Scientists say that it is important to understand the interactions of trace metals with marine biota “for having a holistic understanding about nutrient cycling and productivity of the oceans”.* Apart from their reactions on marine life, isotopic forms of trace metals can be utilised to track the movement of water masses responsible for ocean circulation and as tools to study the biological, geochemical and ecosystem processes and food web analyses. *The NIO’s project is expected to generate new information about trace metals from underexplored regions of the Indian Ocean, the third largest water body in the world, covering about 20 per cent of the Earth’s water surface.*

How will the scientists collect the samples?

The team of scientists will stay aboard their research vessel for about 90 days with refueling scheduled at Mauritius. The route is from Visakhapatnam to the mouth of the Ganga then down the ocean to Australia, then westward to Mauritius and up to the Pakistan border. At various stages and stretches, samples will be collected by lowering a *Kevlar cable of up to 8 km with a set of 24 teflon coated bottles to collect samples. They have a capacity of 12 litres. The Kevlar cable and the Teflon coating are to ensure that metals are not inadvertently introduced into the water by the vessel itself. The samples will be collected and the bacteria will be stored at -60 degrees Celsius with the help of liquid nitrogen. While some samples will be tested at six laboratories on board the vessel, several samples will be brought back to NIO for study and analysis over the next three years.*



UK VARIANT 30-100% MORE LETHAL THAN PREVIOUS COVID STRAINS

The so-called 'UK variant' of the coronavirus SARS-CoV-2, which was discovered in Kent and swept across the UK last year before spreading worldwide, is between 30% and 100% more deadly than previous strains, new analysis has shown. Epidemiologists from the Universities of Exeter and Bristol compared death rates among people infected with the new variant and those infected with other strains. *They found that the new variant, B.1.1.7, led to 227 deaths in a sample of 54,906 patients – compared to 141 among the same number of closely matched patients who had the previous strains.* The University of Exeter quoted lead author Robert Challen as saying: “In the community, death from Covid-19 is still a rare event, but the B.1.1.7 variant raises the risk. Coupled with its ability to spread rapidly, this makes B.1.1.7 a threat that should be taken seriously.” The Kent variant, first detected in the UK in September 2020, has been identified as being significantly quicker and easier to spread, and was behind the introduction of new lockdown rules across the UK from January. *The variant carries a number of mutations in the spike protein of the coronavirus, including N501Y, D614G, A570D, P681H, H69/V70 deletion, and Y144 deletion.* The new study shows that the higher transmissibility of this strain meant that more people who would have previously been considered low-risk were hospitalised with the newer variant.

THE NOVEL CORONAVIRUS AND ITS KEY VARIANTS

Around the world, cases of infection with new variants of the coronavirus SARS-CoV-2 have been rising. Three of them are of particular concern, and were first detected respectively in the UK, South Africa and Brazil. They are defined as variants of interest (VOIs).

What is a SARS-CoV-2 VOI?

In its weekly epidemiological update on February 25, the World Health Organization (WHO) has given a working definition. A SARS-CoV-2 isolate is a VOI if:

- * it is phenotypically changed (it has a different structure and properties) compared to a reference isolate, or has a genome with mutations that lead to amino acid changes associated with phenotypic implications; and
- * it has been known to cause community transmission/multiple Covid-19 cases or has been detected in multiple countries.

WHO has specified three types of phenotypic changes associated with a VOI — increase in transmissibility or detrimental change in Covid-19 epidemiology; increase in virulence or change in clinical disease presentation; decrease in the effectiveness of available vaccines and treatment.

New research indicates that three new, fast-spreading variants of the novel coronavirus (from South Africa, the UK and Brazil) can evade antibodies that work against the original form of the virus that sparked the pandemic. With few exceptions, the researchers found more antibody is needed to neutralise the new variants — whether the antibodies were produced in response to vaccination or natural infection, or were purified antibodies intended for use as drugs. The study, from laboratory-based experiments, were published in Nature Medicine on Thursday. According to the researchers, the findings suggest that Covid-19 drugs and vaccines developed thus far may



become less effective as the new variants become dominant. The virus SARS-CoV-2 uses its spike protein to latch onto and get inside cells. The spike thus became the prime target for drug and vaccine developers. Then, this winter, fast-spreading variants emerged; all carry multiple mutations in their spike genes, which could lessen the effectiveness of spike-targeted drugs and vaccines now being used. In the lab, researchers tested the ability of antibodies to neutralise the three virus variants. They tested the variants against antibodies in the blood of people who had recovered from SARS-CoV-2 infection or were vaccinated with the Pfizer vaccine. They also tested antibodies in the blood of mice, hamsters and monkeys that had been vaccinated with an experimental Covid-19 vaccine, developed at Washington University School of Medicine. The University said in a press statement that the UK variant could be neutralised with similar levels of antibodies as needed to neutralise the original virus, but the other two variants required from 3.5 to 10 times as much antibody.



DreamIAS