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INTERNATIONAL

BIDEN ORDERS PROBE INTO VIRUS ORIGINS

U.S. President Joe Biden announced on Wednesday that he has asked American intelligence agencies to “redouble” their efforts to analyse the origins of COVID-19, to determine whether it emerged from human-animal contact or via a laboratory accident. With this, Mr. Biden adds significantly to the growing pressure on China to be more open about the origins of the SARS-COV-2 virus, an outbreak of which was seen first in early 2020 in the Chinese city of Wuhan, which houses the Wuhan Institute of Virology (WIV). Mr. Biden said he had reviewed a report on the origins of the virus, authored by his National Security Adviser (Jake Sullivan) and intelligence officials and that the intelligence community had “coalesced around two likely scenarios”, yet not reached a “definitive conclusion” as to the origins of the virus. Currently, there is “low to moderate confidence” attached to each of the two theories on the virus’s origins, Mr. Biden said.

Definitive conclusion

A World Health Organisation (WHO) investigation concluded, earlier this year, that the lab leak theory was “extremely unlikely”.

“The U.S. government has reasons to believe that several researchers inside the WIV became sick in autumn 2019,” a State Department fact sheet released in the last days of the Trump administration said. The Wall Street Journal reported this week that three WIV scientists were sick enough in November 2019 to need hospital care. “Now everybody is agreeing that I was right when I very early on called Wuhan as the source of COVID-19,” Mr. Trump said in a statement released on Tuesday. Meanwhile, on Capitol Hill, the Senate unanimously approved two Wuhan-related amendments, the Washington Post reported. One amendment would block U.S. funding for virus ‘gain of function’ research and the other would prevent U.S. funding for WIV.

WUHAN LAB STAFF FELL SICK IN NOV. 2019

Three researchers from China’s Wuhan Institute of Virology (WIV) sought hospital care in November 2019, a month before China reported the first cases of COVID-19, the Wall Street Journal reported on Sunday, citing a U.S. intelligence report. The newspaper said the previously undisclosed report — which provides fresh details on the number of researchers affected, the timing of their illnesses, and their hospital visits — may add weight to calls for a broader investigation into whether the COVID-19 virus could have escaped from the laboratory. The Journal said current and former officials familiar with the intelligence expressed a range of views about the strength of the report’s supporting evidence, with one unnamed person saying it needed “further investigation and additional corroboration.”

China denies report

The first cases of what would eventually be known as COVID-19 were reported at the end of December 2019 in the Chinese city of Wuhan, where the advanced laboratory specialising in coronavirus research is located. Chinese scientists and officials have consistently rejected the lab leak hypothesis, saying SARS-CoV-2 could have been circulating in other regions before it hit Wuhan, and might have



even entered China from another country via imported frozen food shipments or wildlife trading. China's Foreign Ministry spokesman, Zhao Lijian, said on Monday that it was "completely untrue" that three members of staff at WIV had fallen ill. "The U.S. continues to hype up the lab leak theory," he said. "Does it care about traceability or is it just trying to distract attention?" *The Journal report came on the eve of a meeting of the World Health Organization's decision-making body, which is expected to discuss the next phase of an investigation into the origins of COVID-19.* Asked about the report, WHO spokesman Tarik Jasarevic said that the organisation's technical teams were now deciding on the next steps. He said further study was needed into the role of animal markets as well as the lab leak hypothesis. A U.S. National Security Council spokeswoman had no comment on the report but said the Biden administration continued to have "serious questions about the earliest days of the COVID-19 pandemic, including its origins within the Peoples Republic of China." "We're not going to make pronouncements that prejudge an ongoing WHO study into the source of SARS-CoV-2, but we've been clear that sound and technically credible theories should be thoroughly evaluated by international experts," she said. *A joint study into the origins of COVID-19 by the WHO and China published at the end of March said it was "extremely unlikely" that it had escaped from a lab. But China was accused of failing to disclose raw data on early COVID-19 cases to the WHO team.*

INDIA SEEKS MORE STUDIES ON VIRUS ORIGIN

India on Friday pushed for further studies on the origins of the novel coronavirus, as the decision-making body of the World Health Organization (WHO), the World Health Assembly, reviewed the findings of its special team. The 120-page report submitted by the WHO on March 31 had listed various hypotheses as possible origins, including the "lab leak" theory that it said was "extremely unlikely", but concluded that there was need for further research. Several countries at the Assembly's ongoing annual meeting from May 24-June 1 have raised the need for further studies, but it is unclear whether the body will pass any resolution on the issue. "The WHO-convened global study on the origins of COVID-19 is an important first step. It stressed the need for the next phase of studies, as also for further data and studies, to reach robust conclusions," said Ministry of External Affairs (MEA) official spokesperson Arindam Bagchi. "The follow-up of the WHO report and further studies deserve the understanding and cooperation of all," he stated, in reference to *WHO chief Tedros Ghebreyesus' earlier statement that accused China of limiting access to its team to conduct studies.* On April 1, the MEA issued a statement on the report, which had listed *"four pathways" or possible options that led to the pandemic: a direct zoonotic transmission; the introduction of the virus through another intermediate host or animal; the introduction through the cold chain or food chain; and a laboratory incident.* The inquiry conducted over four weeks by a joint WHO-China study team had concluded that the first two theories were "likely to very likely", the food chain theory "possible" and the lab incident theory "extremely unlikely". In its statement, India also called for "a comprehensive and expert-led mechanism" to investigate the origin of COVID-19 in cooperation with all stakeholders, and supported the possibility of an additional WHO mission to the Chinese sites to further study the issue. *India's statement comes days after U.S. Health and Human Services Secretary Xavier Becerra called on the WHO to conduct a second and more transparent investigation into the origins of COVID-19.* U.S. President Joseph Biden has also tasked his National Security Advisor and intelligence agencies to redouble efforts to reach a conclusion on the origins of the virus. China, which has consistently denied the theory that there was a leak from the Wuhan lab, where research on zoonotic transmissions of coronaviruses was

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taking place, criticised Mr. Biden's statement. Spokesperson of China's Ministry of Foreign Affairs Zhao Lijian accused the U.S. of not caring "about facts and truth...or serious scientific origin tracing," on Thursday, indicating that China considers the "lab leak" theory report closed.

BELARUS DIVERTS FLIGHT TO ARREST BLOGGER

Belarusian President Alexander Lukashenko ordered a Ryanair flight headed for Lithuania and carrying a young opposition blogger to land in Belarus on Sunday and detained him on arrival, prompting Lithuania to call for a NATO response. Law enforcers detained activist *Roman Protasevich*, 26, who had been put on a wanted list after last year's mass street protests following an election in which Mr. Lukashenko claimed a landslide victory. *The aircraft, flying from Athens to Vilnius, had almost reached Lithuania when it changed direction and was escorted to the Belarusian capital of Minsk amid reports that it had explosives on board, according to an online flight tracker and state news agency BelTA.* Mr. Lukashenko personally ordered the warplane to escort the Boeing to Minsk, BelTA reported. No explosives were found, it said. The European Union said on Sunday that all passengers on board the Ryanair plane must be allowed to resume their journeys immediately. "Any violation of international air transport rules must bear consequences," European Commission President Ursula von der Leyen said.

Call for NATO response

Lithuanian President Gitanas Nausėda condemned Belarus's actions, demanding Protasevich be released and calling on for an international response. "I call on NATO and EU allies to immediately react to the threat posed to international civil aviation by the Belarus regime. The international community must take immediate steps that this does not repeat," Mr. Nausėda said. Lithuanian presidential adviser Asta Skaisgirytė said the operation to force-land the plane carrying around 170 people from 12 countries seemed to be pre-planned. She said Belarus intelligence services knew who was onboard the plane, which was forced to land with the help of MIG-29 fighter jet. Mr. Protasevich had lived in Vilnius since November, she said. *Lithuania and traditional Russian ally Belarus are neighbours and former members of the Soviet Union. Lithuania is now a member of the EU, Belarus is not.*

FRANCE AND THE RWANDAN GENOCIDE

French President Emmanuel Macron on Thursday asked for forgiveness for his country's role in the 1994 Rwandan massacre in which about 8,00,000 people, mostly ethnic Tutsis, were killed. Speaking at the genocide memorial in Kigali, Rwanda's capital, Mr. Macron said France chose "silence over examination of the truth" for too long, but stopped short of issuing an apology.

Close ties

France, which enjoyed close ties with Rwanda's Hutu-led government of President Juvénal Habyarimana, has long been criticised for its role in the killings of the Tutsi minorities in the months of April to June 1994. In May 2019, President Macron, promising a new beginning with Rwanda, set up a 15-member expert committee to investigate his country's role in the genocide. The committee, which had access to official files and secret documents, submitted its findings to the government in March, which stated that France, which was then ruled by President François



Mitterrand, bore "heavy and overwhelming responsibilities" for being "blind" to the events that led to the killings. The report blamed Mitterrand for a "failure" of policy towards Rwanda in 1994. Rwanda had commissioned a separate inquiry, which concluded in a report submitted to the Cabinet in April that France "enabled" the genocide.

Hutu-Tutsi relations

The majority Hutus and minority Tutsis have had a troubled relationship in Rwanda that goes back to the German and Belgian colonial period. Colonialists ruled Rwanda through the Tutsi monarchy. Tutsis were appointed as local administrative chiefs and the ethnic minority enjoyed relatively better educational and employment opportunities, which led to widespread resentment among the majority Hutus. In 1959, Rwanda saw violent riots led by Hutus in which some 20,000 Tutsis were killed and many more were displaced. Amid growing violence, the Belgian authorities handed over power to the Hutu elite. King Kigeli V fled the country. In the 1960 elections, organised by the Belgians, Hutu parties gained control of nearly all local communes. In 1961, Hutu leader Grégoire Kayibanda declared Rwanda an autonomous republic and the next year, the country became independent. Kayibanda became Rwanda's first elected President, while the Tutsis who fled the country formed armed insurgencies. Since then, Rwanda had been controlled by Hutus, until their genocidal regime was toppled by the Rwandan Patriotic Front (RPF) in 1994.

What led to the killings?

The crisis escalated in the 1990s when the RPF, led by Paul Kagame, the current President, grew in strength and posed a serious challenge to the regime of President Habyarimana, who was backed by France and had defence ties with Israel. In 1993, Habyarimana, who rose to power in 1973, was forced to sign a peace agreement (Arusha Accords) with the RPF. This led to resentment among Hutu militias, backed by the government, towards local Tutsi population, who were accused of collaborators of the RPF. On April 6, 1994, a Falcon 50 jet carrying Habyarimana and his Burundi counterpart Cyprien Ntaryamira was shot down near Kigali International Airport. The Hutu-led government blamed the RPF for the attack on the presidential jet. The military and Hutu



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militias, mainly Interahamwe, unleashed violence against Tutsis and moderate Hutus. Mr. Kagame has denied any involvement in shooting down the plane. The RPF says Hutu extremists ordered the attack to use it as an excuse for the genocide (which they were preparing for long before the plane downing) as well as to capture power. The killings were a pre-planned extermination campaign. The militias, with support from the government, launched a premeditated violent campaign on April 7, aimed at eliminating the entire Tutsi communities. Interahamwe militants went to cities and villages across the country, hunting down Tutsis, and asking Hutus to join the campaign, killing at a pace of 8,000 people a day. The Hutus who opposed the killings were also targeted. The militias used a radio station to coordinate the killings. Bodies were dumped in the Nyabarongo River. France, which had backed the Hutu government, did nothing to stop the massacre. Thousands were slaughtered in churches where they sought refuge. The Catholic Church had deep ties with the ruling Hutu elites – Archbishop Vincent Nsengiyumva was a member of the ruling party's central committee. Many priests were involved in the killings. In a visit to Rwanda in 2017, Pope Francis asked for forgiveness for the Church's role in the killings. The violence continued for three months.

How did it end?

The killings came to an end after the RPF, under Mr. Kagame's command, captured Kigali and toppled the Hutu regime. While the RPF put an end to the Hutu campaign to exterminate Tutsis, the rebels were also accused of carrying out revenge killings during the civil war. When it was evident that the RPF was winning, an estimated 2 million Hutus fled Rwanda, mainly to the neighbouring Zaire (the Democratic Republic of Congo), where Hutu militias are still operating from. The RPF initially went about establishing a multi-ethnic government with Pasteur Bizimungu, a Hutu, being the President. Mr. Kagame, a Tutsi, was his deputy. In 2000, Mr. Kagame assumed the Presidency and continues to be in power till today.

CONGO VOLCANO SPARES GOMA CITY; 5 DIE IN CRASH WHILE TRYING TO LEAVE

Congo's Mount Nyiragongo unleashed lava that destroyed homes on the outskirts of Goma, but witnesses said on Sunday that the city of 2 million had been mostly spared after the volcano erupted at night and sent thousands fleeing in panic. Authorities said at least five people had died in a road crash while trying to leave Goma, but cautioned it was too early to give a death toll in the hardest hit communities. More than 500 homes had been destroyed, according to Constant Ndima, military Governor for the affected region. Residents said there was little warning before the dark sky turned a fiery red, leading to fears that the eruption could cause the same kind of devastation as the last time in 2002 when hundreds died. Thousands set off fearing the worst. Some boarded boats onto Lake Kivu while others attempted to reach Mount Goma, the highest elevation point. At least 3,000 fled across the nearby border into Rwanda. On Sunday, residents ventured out to assess the damage after a night of panic.

As the active volcano in Congo, Mount Nyaragongo, erupted again, the Indian Army contingent under the United Nations peace keeping mission (MONUSCO) assisted in protecting civilians and U.N. officials as well as assets during the evacuation, the Army said on Sunday. Mount Nyaragongo which overlooks Goma town, erupted spewing lava, gases and sediments around 6.30 p.m. on Saturday resulting in panic among the civilians, the Army said. Most of the lava, however, has flowed towards Rwanda and only a small stream is trickling towards Goma, it said. While the U.N.'s internal security system calculated that evacuation will not be required and asked various country

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contingents to be on alert, a majority of them including aviation contingents evacuated immediately, the statement said.

SAMOA IN CRISIS AS ELECTED LEADER LOCKED OUT OF PARLIAMENT

Samoa was plunged into a constitutional crisis Monday when the woman who won an election last month was locked out of Parliament and the previous leader claimed he remained in charge. The fast-moving events marked the latest twist in a bitter power struggle that has been playing out in the small Pacific nation since it elected its first female leader. Not only is Samoa's peace and stability at stake, but also its relationship with China. On Monday morning, Prime Minister-elect Fiame Naomi Mata'afa and her supporters showed up at parliament to form a new government, but were not allowed inside. The nation's Supreme Court had earlier ordered the Parliament to convene. *And the constitution requires that lawmakers meet within 45 days of an election, with Monday marking the final day by that count. But Tuilaepa Sailele Malielegaoi, who was prime minister for 22 years before his unexpected election loss, doesn't appear ready to give up power.* He was already one of the longest-serving leaders in the world. The nation's head of state, Tuimalealiifano Va'aletoa Sualauvi II, wrote in a proclamation last week that he was suspending Parliament "for reasons that I will make known in due course." On Sunday, the Parliament's speaker backed him. *After Fiame was locked out on Monday, Tuilaepa held a news conference proclaiming his government remained in charge. Samoan journalist Lagipoiva Cherelle Jackson translated the back-and-forth into English on Twitter. At his news conference, Tuilaepa said: "There is only one government in Samoa, even if we are just the custodian government. We remain in this role and operate business as usual." Meanwhile, Fiame told her supporters: "There will be a time when we will meet again, inside that House. Let us leave it to the law." Fiame's election win was seen as a milestone not only for Samoa, which is conservative and Christian, but also for the South Pacific, which has had few female leaders. An advocate for women's equality, Fiame, who was born in 1957, broke new ground during her campaign by going on the road and robustly criticizing the incumbent. She has pledged to stop a \$100 million port development backed by Beijing, calling the project excessive for a nation that's already heavily in debt to China, according to news broadcaster RNZ. Fiame said she intends to maintain good relations with China but has more pressing needs to address, RNZ reported. Last month's election initially ended in a 25-25 tie between Fiame's FAST Party and Tuilaepa's HRP Party, with one independent candidate. The independent candidate chose to go with Fiame, but meanwhile, the electoral commissioner appointed another HRP candidate, saying it was required to conform to gender quotas. That made it 26-26. The head of state then stepped in to announce fresh elections*



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to break the tie. Those elections in the nation of 200,000 were scheduled to be held last week. But *Fiame's party appealed and the Supreme Court ruled against both the appointed candidate and the plans for the new elections, restoring the FAST Party to a 26-25 majority.*

BRICS MINISTERIAL MEETING ON JUNE 1

Amidst continuing tensions between India and China at the Line of Actual Control, External Affairs Minister S. Jaishankar and Chinese Foreign Minister Wang Yi will participate on Tuesday in *a virtual BRICS Ministerial meeting chaired by India, along with the Foreign Ministers of Brazil, Russia and South Africa, officials confirmed. The meeting will also be watched closely for any expression of support from the entire grouping for the India-South Africa proposal at the World Trade Organization (WTO) that asks for a patent waiver for COVID-19 vaccines, which would be a big boost for the proposal. About 60 countries have already backed the proposal, the U.S. has recently agreed to support it, while the European Union is yet to give its final decision on it.*

The Ministers will also set the course for *the BRICS summit to be held later this year, which will be hosted by Prime Minister Narendra Modi and will include Chinese President Xi Jinping, Russian President Vladimir Putin, Brazilian President Jair Bolsonaro and South African President Cyril Ramaphosa.* On Tuesday, BRICS Sherpas began a six-day long meeting, led by Secretary, Ministry of External Affairs, Sanjay Bhattacharya. It will negotiate the key deliverables for the BRICS summit.

Bilateral issues between India and China, including the ongoing stand-off at the Line of Actual Control, however, will not be discussed at the multilateral meet. Ahead of the Foreign Minister's Meeting, *India announced its priorities for the BRICS@15 summit with the motto "Cooperation for Continuity, Consolidation and Consensus" on the BRICS website, including reform of multilateral organisations such as the UN, World Bank and WTO, countering terrorism, cooperation on health and enhancing people-to-people ties between the five BRICS countries that came together in 2006 as a grouping of emerging economies.*

BRICS ASTRONOMY WORKING GROUP MOOTS NETWORKING OF EXISTING TELESCOPES

The BRICS Astronomy Working Group has recommended networking of telescopes in member countries and creating a regional data network. *Under the science, technology and innovation track of the BRICS 2021 calendar, India hosted the seventh meeting of BRICS Astronomy Working Group (BAWG) on online mode from May 19 and 20.* Also present were astronomers from these countries. In the BAWG meeting, the delegates agreed to develop a flagship project in this area. It witnessed participation from all five BRICS countries – Brazil, Russia, India, China and South Africa – with more than 50 participants, including researchers, academicians and government officials.

CHINA'S 'FATHER OF HYBRID RICE' IS DEAD

Yuan Longping, a Chinese agricultural scientist whose breakthroughs in hybrid rice brought food security to China and transformed agriculture worldwide, died on Saturday aged 91. Mr. Yuan, who is celebrated in China as the "father of hybrid rice" for his contributions to agriculture and beloved for his simple demeanour that endured despite the many honours that came his way, was still



conducting research at the Sanya Hybrid Rice Research Base until he suffered a fall in March this year. In 2004, he was honoured with the World Food Prize “for his breakthrough achievement in developing the genetic materials and technologies essential for breeding high-yielding hybrid rice varieties”. His “new hybrid rice technology not only benefited China, but was also enthusiastically adopted in other countries,” read the citation from the World Food Prize Foundation, noting that “he and his research associates traveled to India, Vietnam, Myanmar, Bangladesh, Sri Lanka and the United States to provide advice and consultation to rice research personnel” and trained over 3,000 scientists from more than 50 countries. “Farmers around the world have benefitted from his techniques as hybrid rice spread throughout Asia, Africa and the Americas,” the foundation said, adding that “the impact of Yuan’s ingenuity has been felt beyond China’s rice industry” as producers of other crops “successfully used the two-line breeding system for rice to explore similar systems for hybrid sorghum and rapeseed with increased yields.” His desire to experiment with rice was borne out of hardship. In 1960, when he was 30 years old, China was in the midst of a famine unleashed by Mao Zedong’s “Great Leap Forward” policy in 1958 that devastated the agriculture sector and led to mass starvation and the deaths of millions.

WHAT BANGLA-LANKA CURRENCY SWAP MEANS

Bangladesh Bank, Bangladesh’s central bank, has in principle approved a \$200 million currency swap agreement with Sri Lanka, which will help Colombo tide over its foreign exchange crisis, according to media reports from Bangladesh, quoting the bank’s spokesman. Sri Lanka, staring at an external debt repayment schedule of \$4.05 million this year, is in urgent need of foreign exchange. Its own foreign exchange reserves in March year stood at \$4 million. The two sides have to formalise an agreement to operationalise the facility approved by Bangladesh Bank. Dhaka decided to extend the facility after a request by Sri Lankan Prime Minister Mahinda Rajapaksa to Bangladesh’s Prime Minister Sheikh Hasina.

What is a currency swap?

In this context, *a currency swap is effectively a loan that Bangladesh will give to Sri Lanka in dollars, with an agreement that the debt will be repaid with interest in Sri Lankan rupees.* For Sri Lanka, this is cheaper than borrowing from the market, and a lifeline as is it struggles to maintain adequate forex reserves even as repayment of its external debts looms. The period of the currency swap will be specified in the agreement.

Isn’t it unusual for Bangladesh to do this?

Bangladesh has not been viewed so far as a provider of financial assistance to other countries. It has been among the most impoverished countries of the world, and still receives billions of dollars in financial aid. But over the last two decades, its economy has pulled itself up literally by the bootstraps, and *in 2020, was the fastest growing in South Asia. Bangladesh’s economy grew by 5.2 per cent in 2020, and is expected to grow by 6.8 per cent in 2021.* The country has managed to pull millions out of poverty. *Its per capita income just overtook India’s.* This may be the first time that Bangladesh is extending a helping hand to another country, so this is a landmark of sorts. Bangladesh’s forex reserves in May were a healthy \$45 billion. *In 2020, despite fears that the pandemic would hit remittances, Bangladeshis living abroad sent over \$21 billion. It is also the first time that Sri Lanka is borrowing from a SAARC country other than India.*



Why didn't Sri Lanka approach India, the biggest economy in the region?

It did, but did not get a reply from Delhi. Last year year, President Gotabaya Rajapaksa *knocked on Prime Minister Narendra Modi's door for a \$1 billion credit swap, and separately, a moratorium on debts that the country has to repay to India.* But India-Sri Lanka relations have been *tense over Colombo's decision to cancel a valued container terminal project at Colombo Port. India put off the decision, but Colombo no longer has the luxury of time.* With the *tourism industry destroyed since the 2019 Easter attacks, Sri Lanka had lost one of its top foreign exchange pullers even before the pandemic. The tea and garment industries have also been hit by the pandemic affecting exports. Remittances increased in 2020, but are not sufficient to pull Sri Lanka out of its crisis. The country is already deep in debt to China. In April, Beijing gave Sri Lanka a \$1.5 billion currency swap facility.* Separately, China, which had extended a \$1 billion loan to Sri Lanka last year, extended the second \$500 million tranche of that loan. According to media reports, Sri Lanka's owes China up to \$5 billion.

What about last year's credit swap facility that India gave Sri Lanka?

Last July, the Reserve Bank of India did extend a \$400 million credit swap facility to Sri Lanka, which Central Bank of Sri Lanka settled in February. The arrangement was not extended. *RBI has a framework under which it can offer credit swap facilities to SAARC countries within an overall corpus of \$2 billion.* According to RBI, *the SAARC currency swap facility came into operation in November 2012 with the aim of providing to smaller countries in the region "a backstop line of funding for short-term foreign exchange liquidity requirements or balance of payment crisis till longer term arrangements are made".* The presumption was that only India, as the regional group's largest economy, could do this. The Bangladesh-Sri Lanka arrangement shows that is no longer valid.

THE DOUBLE CRISIS

In the midst of rising Covid-19 infections, Nepal has slipped again into political turmoil. *On Saturday, President Bidya Devi Bhandari rejected Nepali Congress president Sher Bahadur Deuba's claim to form the government and announced elections in November, as per the recommendation of the current prime minister, K P Sharma Oli. Opposition parties have described Bhandari's action as unconstitutional and are moving the Supreme Court.* The political uncertainty could imperil the battle against the pandemic. The question is if the President should have followed the advice of PM Oli, especially since he had lost majority in Parliament and continued to be a contender for office. *Bhandari could arguably have exhausted the constitutional option of allowing Deuba to test his majority on the floor of the House before declaring mid-term polls. Earlier in December, she had followed Oli's advice and dissolved the House only for the Supreme Court to declare the step unconstitutional and reinstate Parliament in February.* Not surprisingly, the Opposition has questioned the neutrality of the President's office now. *Nepal had voted decisively in the 2017 general election in favour of the Communist alliance constituted mainly of the CPN-UML and CPN-Maoist Centre. The two parties, bitter rivals for decades, merged thereafter on the condition that power would be shared between the two factions.* In office, *Prime Minister Oli, leader of the dominant faction, CPN-UML, preferred to consolidate his position in the party and government rather than accommodate the other group's demands. The merger unravelled last year with the CPN-MC faction calling for Oli's resignation and the latter retaliating by recommending dissolution of Parliament.* Political uncertainty has been a feature of Nepal's politics ever since the democracy movement

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replaced monarchy. The clear mandate in 2017, under a new Constitution, provided an opportunity to consolidate the gains of democracy and build institutions. *Oli, however, sought to centralise power in the Prime Minister's office and fill constitutional offices, including the office of President, Election Commission, Commission for Investigation of Abuse of Authority (CIAA) mandated to probe corruption, judiciary etc, with party aides.* The absence of checks and balances on abuse of power and the failure of the prime minister to negotiate and accommodate competing interests have led to the current impasse. The winners of the 2017 election have frittered away their mandate. New political realignments are taking place with the intent to stay in or gain office. All this is happening when the pandemic is raging — Nepal is currently reporting at least 8,000 new infections daily.



DreamIAS



NATION

MEHUL CHOKSI ARRESTED: WHERE THE CBI, ED CASES AGAINST HIM STAND

Fugitive diamond trader Mehul Choksi has been arrested in Dominica after he was reported missing early this week from his home in Antigua and Barbuda, the Caribbean nation of which he has been a citizen since early 2018.

What are the cases in which Mehul Choksi has been booked?

Choksi is facing criminal proceedings by both CBI and Enforcement Directorate (ED). The CBI had first named Choksi and his firms including Gitanjali Gems along with others in 2018 based on a complaint received by Punjab National Bank (PNB) for alleged *issuance of fraudulent Letters of Undertaking in their favour causing losses to the bank*. The ED also subsequently filed a complaint alleging that Choksi and others were involved in money-laundering the proceeds of crime in overseas accounts. Choksi has been booked under the Prevention of Money Laundering Act and other sections pertaining to cheating, criminal conspiracy of the Indian Penal Code and relevant sections of the Prevention of Corruption Act. A similar case was also filed against Choksi's nephew Nirav Modi alleging that they both colluded with some staffers of PNB to perpetrate the multi-crore fraud.

What is the status of the criminal cases in India against Choksi?

Choksi had left the country on January 7, 2018, days before the PNB scam came to light. He is learnt to have applied for citizenship in November 2017 under the island nation's Citizenship by Investment programme and took oath of citizenship in January 2018. After the two central agencies began the probe in the case, Choksi was summoned multiple times for questioning. After he remained unavailable, a special court in March 2018 issued a non-bailable warrant against him. In May 2018, the CBI filed a chargesheet against Choksi and others detailing his role in the case. Choksi continued to evade the probe despite the non-bailable warrants. In June 2018, he sought cancellation of the warrants on various grounds. These included his medical condition stating that he has blocked arteries, diabetes and a clot in his brain since 2012. His pleas said that these have made it extremely impossible for him to travel on long flights of 41 hours. Another reason he had given for not returning to India in 2018 was by citing 'the recent trend of mob lynching' and has said there is a threat to his life, showing willingness to face interrogators on video-conference. While the agencies arrested other accomplices including staffers of PNB — some of whom remain in custody — Choksi was not arrested. *The ED even filed an application in July 2018 seeking to declare Choksi as a 'fugitive economic offender' under the then new ordinance. The Fugitive Economic Offenders Act gives the central government powers to proceed with confiscating of properties belonging to a person declared as a fugitive economic offender by a court even before the trial against them begins. The ED had given the special court a list of properties belonging to Choksi.*

What is the status of the plea seeking to declare Choksi an FEO?

While a special court had declared Choksi's nephew Nirav Modi a 'fugitive economic offender' in December 2019, the proceedings on a similar plea against Choksi has been stayed by the Bombay High Court. Choksi's lawyers had approached the High Court alleging procedural flaws in the ED



affidavit filed before the special court. He also sought to cross-examine witnesses while hearing the plea. The special court had rejected the applications. Choksi's lawyers said that till the ED files its replies on other pending applications, the final order cannot be passed. The High Court in January last year directed the special court to not pass a final order pending the hearing before it. With the pandemic affecting functioning of courts soon after, the application has not come up for hearing since. While Choksi remains absconding, the trial has also not begun against other accused, some of whom remain in custody. The court is yet to frame charges. The process has also been delayed due to the pandemic.

CJI MADE 'STATEMENT OF LAW' AT CBI PANEL

Chief Justice of India N.V. Ramana's opinion in the high-level committee to avoid officers with less than six months left to retire for appointment as CBI Director is a simple "statement of law". It was not a comment on the professional prowess of those who now find themselves outside the zone of consideration. Two senior IPS officers, Y.C. Modi and Rakesh Asthana, went out of contention for the post. Mr. Modi retires in May. Mr. Asthana in July. The CJI was clear during the meeting chaired by the Prime Minister and attended by Adhir Ranjan Chowdhury, leader of largest Opposition party, on Monday that the committee's selection of officers should be able to withstand the "scrutiny of law in the future". For this, officers with a "few days left" in service should not be considered. In this context, 10 of the senior most officers of the 1984 batch, scheduled to retire soon, were not considered. *The six-month minimum residual tenure rule was introduced by the Supreme Court in a March 13, 2019 order. Though the order in the Prakash Singh case pertained to the appointment of DGPs, it was extended to CBI Director too.* The order, pronounced by a three-judge Bench led by then Chief Justice Ranjan Gogoi, had clarified that the "recommendation for appointment to the post of Director General of Police by the Union Public Service Commission and preparation of panel should be purely on the basis of merit from officers who have a minimum residual tenure of six months, that is, officers who have at least six months of service prior to retirement". The apex court had indicated the possibility that officers with only a few days of service may be in an insecure state of mind. In the Prakash Singh case, the Supreme Court had stressed the point that appointment of DGPs "should be purely on the basis of merit and to insulate the office from all kinds of influences and pressures". *As on date, the CBI has jurisdiction to investigate offences pertaining to 69 Central laws, 18 State Acts and 231 offences in the IPC. The Director is to hold the post for not less than two years as held by the Vineet Narain judgment of 1998. He/she may not be transferred except with the previous consent of the high-level committee.* The CJI had also studied a Supreme Court judgment, Union of India versus C. Dinakar, reported in 2004, in the context of the appointment process. In this, the apex court had held that "ordinarily IPS officers of the senior most four batches in service on the date of retirement of CBI Director, irrespective of their empanelment, shall be eligible for consideration for appointment to the post of CBI Director".

EXPANDING THE SCOPE OF POCSO (MANURAJ SHUNMUGASUNDARAM - ADVOCATE AND SPOKESPERSON, DMK. THIS ARTICLE WAS WRITTEN WITH INPUTS FROM SASI VARADHARAJAN, ADVOCATE)

Over the last nine years, India has sought to "protect children from offences of sexual assault, sexual harassment and pornography" through the Protection of Children from Sexual Offences Act
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(POCSO). But POCSO has not been without controversy or deficiency. Recently, the Supreme Court had to injunct an interpretation of '*skin-to-skin contact*' given by the Bombay High Court. Another fundamental defect of POCSO is its inability to deal with historical cases. *With growing international jurisprudence around these issues, and in line with the UN Convention on the Rights of the Child, India must revise its legal and procedural methods to deal with historical child sexual abuse.*

Historical child sexual abuse

Historical child sexual abuse refers to incidents that are reported late. *Historical abuse is not just confined to institutions but also includes intra-familial abuse where it is difficult for the child to report the offence or offender at the earliest point in time. It often takes time for the child to recognise and comprehend the gravity of what transpired and become confident to report the offence.* At first glance, this may seem to run counter to the established principle of criminal law: that every act of crime must be reported at the earliest and any delay in filing the complaint dilutes the efficacy of the prosecution's case. *Provisions in the Criminal Procedure Code (CrPC) prohibit judicial magistrates from taking cognisance of cases beyond a specific time period. Cases involving child sexual abuse not amounting to rape as defined under Section 376 of the Indian Penal Code (IPC), and prior to the enactment of POCSO in 2012, would presumably be classified under the lesser, and somewhat frivolous, offence of outraging the modesty of a woman (Section 354 of the IPC). As such, any reporting of an offence, under Section 354 of the IPC, more than three years after the date of incident would be barred by the CrPC.* Such a scenario renders historical reporting of child sexual offences which took place before 2012 legally implausible. This presents *an insurmountable legal barrier against the registration of historical child sexual offences which took place before 2012.* While the limitation provisions were incorporated into the CrPC to avert delayed prosecution, the circumstances around child sexual abuse cannot and must not be viewed in the same manner as other criminal offences. Therein lies a compelling case to allow delayed reporting and prosecution with regard to incidents of child sexual offences. It is also now understood that *delays in reporting sexual abuse after a considerable passage of time from the date of offence may be due to factors such as threats from the perpetrator, fear of public humiliation, and absence of trustworthy confidant.* Another theory, proposed by Roland C. Summit, Professor of Psychiatry, is the accommodation syndrome — where the child keeps the abuse as a secret because of the fear that no one will believe the abuse, which leads to accommodative behaviour. As such, with growing research and empirical evidence pointing to behaviour justifying delayed reporting, there is a need to amend the law to balance the rights of the victims and the accused. One of the major drawbacks of delayed reporting is the lack of evidence to advance prosecution. *It is believed that there would be less than 5% chance for gathering direct physical and medical evidence in such cases.* India, in particular, suffers from a lack of procedural guidance as to how to prosecute historical cases of child sexual abuse. In contrast, the U.K. has issued detailed Guidelines on Prosecuting Cases of Child Sexual Abuse under the Sexual Offences Act of 2003 to assist the police in such cases.

Need to review the law

Also, in 2018, an online petition based on the plea of a child sexual abuse survivor gathered tremendous support. The survivor-petitioner, Purnima Govindarajulu, had unsuccessfully tried to register a complaint against her abuser after a delay of more than 40 years. After having failed to get traction with the police, she had launched an online campaign to raise awareness.

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Consequently, the Union Ministry of Law and Justice, at the request of the then Minister for Women and Child Development, clarified that no time limit shall apply for POCSO cases. Though this was a welcome clarification and would help strengthen the POCSO jurisprudence, it still fails to address the plight of children who were victims of sexual abuse before 2012. There is an urgent need to reform and revise our laws to account for various developments such as historical reporting of child sexual abuse. At the very least, the Union government must frame guidelines to direct effective and purposeful prosecution in cases which are not covered by the POCSO.

CAA RULES ON HOLD, CENTRE OPENS SIMILAR CITIZENSHIP WINDOW IN FIVE STATES

*With the Centre yet to frame rules under the Citizenship Amendment Act (CAA) 2019, it issued a gazette notification Friday granting powers under existing rules to authorities in **13 districts of Gujarat, Chhattisgarh, Rajasthan, Haryana and Punjab** to accept, verify and approve citizenship applications from members of minority communities hailing from **Pakistan, Afghanistan and Bangladesh**. The notification lists **Hindus, Sikhs, Buddhists, Jains, Parsis and Christians** as the communities that will be covered, and states that the applications will have to be submitted online. The order has been issued under the Citizenship Act, 1955 and the Citizenship Rules, 2009 and not under the Citizenship Amendment Act, 2019 since its rules have not yet been framed, sources in the Ministry of Home Affairs said. A similar notification had been issued in 2018 as well for other districts in several states. "In exercise of the powers conferred by section 16 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby directs that powers exercisable by it, for registration as a citizen of India under section 5, or for grant of certificate of naturalisation under section 6, of the Citizenship Act, 1955, in respect of **any person belonging to minority community in Afghanistan, Bangladesh and Pakistan, namely, Hindus, Sikhs, Buddhists, Jains, Parsis and Christians...** shall also be exercisable by the Collector, within whose jurisdiction the applicant is ordinarily resident," the notification said. The districts listed in the notification are: **Morbi, Rajkot, Patan and Vadodara (Gujarat); Durg and Balodabazar (Chhattisgarh); Jalore, Udaipur, Pali, Barmer and Sirohi (Rajasthan); Faridabad (Haryana); and, Jalandhar (Punjab)**. It also granted **similar powers to the Home Secretaries of Haryana and Punjab, except for Faridabad and Jalandhar**. "The verification of the application is done simultaneously by the Collector or the Secretary, as the case may be, at the district level and the state level and the application and the reports thereon shall be made accessible simultaneously to the Central Government on online portal," the order said. "The Collector or the Secretary, as the case may be, on being satisfied with the suitability of the applicant, grants him the citizenship of India by registration or naturalisation and issues a certificate of registration or naturalisation, as the case may be, duly printed from online portal and signed by the Collector or the Secretary, as the case may be, in the Form as prescribed in the said rules," the notification said. It has asked the Collector and Secretary to maintain an online as well as physical register, containing details of the person registered or naturalised as a citizen of India and furnish a copy to the Central Government within seven days of registration or naturalisation. **In 2018, the Government had granted similar powers to Collectors and Home Secretaries of states such as Chhattisgarh, Madhya Pradesh, Gujarat, Rajasthan, Uttar Pradesh and Delhi with regard to certain districts**. In December 2019, the Parliament amended the Citizenship Act granting citizenship to illegal immigrants belonging to Hindu, Jain, Sikh, Parsi, Christian and Buddhist communities from Pakistan, Bangladesh and Afghanistan — but not Muslims. The legislation was passed amid strong criticism from the Opposition, which called it discriminatory, and triggered massive nationwide protests. The MHA has been deliberating on framing the CAA rules for over a year without any*

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headway, sources said. "The rules are essential for implementation of the Act. The rules are supposed to specify the kind of documents that would be needed to prove whether the applicant came from these countries to India before the cut off date (December 31, 2014) or not. Most illegal immigrants have entered the country without any travel documents," sources said.

UP MINISTER'S BROTHER RESIGNS AMID ROW OVER UNIVERSITY APPOINTMENT UNDER EWS CATEGORY

Amid a controversy over his appointment under the economically weaker section (EWS) quota, Arun Dwivedi, the brother of UP Basic Education Minister Satish Chandra Dwivedi, on Wednesday quit as assistant professor of Siddharth University's psychology department. Arun claimed he quit because attempts were being made to tarnish his brother's reputation with "unsubstantiated allegations". He had joined the university on May 5. Vice-Chancellor (V-C) Surendra Dubey on Wednesday said he had accepted the resignation letter. "We will now be advertising for the EWS post again, and a fresh appointment will happen." *The resignation came after the office of Governor Anandiben Patel took cognizance of the controversy, and asked the university to submit a report on the matter.* "The governor's office had sought a report, and I had submitted it with all facts of the whole appointment," said the V-C. *The V-C blamed the district administration for issuing the EWS certificate to Arun.* Dubey claimed that he did not know that Arun Dwivedi was a minister's brother and that he "was selected based on merit". On Wednesday, Arun Dwivedi told reporters, "I am going through mental torture because of this (controversy). For me, my family and my brother's honour are most important. With full responsibility, I have resigned from my post. In November 2019, I was given an EWS certificate according to my income and had then applied (for the job)." "It was based on my merit, which includes a gold medal in MA in psychology. I also have 17 publications, editing of books, have presented papers in 20 conferences."

PANEL TO DEFINE OFFENCES OF SPEECH, EXPRESSION

A panel constituted by the Union Home Ministry to suggest reforms to the British-era Indian Penal Code (IPC) is likely to propose a separate Section on "offences relating to speech and expression." As there is no clear definition of what constitutes a "hate speech" in the IPC, the Committee for Reforms in Criminal Laws is attempting for the first time to define such speech. "Who will decide what constitutes a hate speech? Legally speaking, for criminal Sections to be invoked, any such speech has to lead to violence or disturbance of law and order. We will refrain from using the word 'hate speech' as it is a loaded term, merely criticising someone is not hate speech," G.S. Bajpai, Chairperson of the Criminology Centre at National Law University (NLU), Delhi, one of the members of the committee, told The Hindu. The committee is expected to submit its report soon.

SOCIAL MEDIA AND SAFE HARBOUR

The new rules for social media platforms and digital news outlets, called the Intermediary Guidelines and Digital Media Ethics Code, came into effect from Wednesday. The guidelines, announced in February, had asked all social media platforms *to set up a grievances redressal and compliance mechanism, which included appointing a resident grievance officer, chief compliance officer and a nodal contact person.* The Ministry of Electronics & Information Technology had also asked these platforms *to submit monthly reports on complaints received from users and action taken.* A third



requirement was for instant messaging apps was *to make provisions for tracking the first originator of a message*. Failure to comply with any one of these requirements would *take away the indemnity provided to social media intermediaries under Section 79 of the Information Technology Act*.

What is Section 79 of the IT Act?

Section 79 says any intermediary shall not be held legally or otherwise liable for any third party information, data, or communication link made available or hosted on its platform. This protection, the Act says, shall be applicable if the said intermediary does not in any way, initiate the transmission of the message in question, select the receiver of the transmitted message and does not modify any information contained in the transmission. This means that as long as a platform acts just as the messenger carrying a message from point A to point B, without interfering in any manner, it will be safe from any legal prosecution brought upon due to the message being transmitted. *The protection accorded under Section 79, however, is not granted if the intermediary, despite being informed or notified by the government or its agencies, does not immediately disable access to the material under question. The intermediary must not tamper with any evidence of these messages or content present on its platform, failing which it lose its protection under the Act.*

Why were these provisions for protection introduced?

The need to provide protection to intermediaries from actions of third parties came into focus following a police case in 2004. In November 2004, an IIT student posted an obscene video clip for sale on baze.com, an auction website. Along with the student, the Crime Branch of Delhi Police also arrested the then chief executive officer of the website, Avnish Bajaj, and a then manager, Sharat Digumarti. Bajaj spent four days in Tihar jail before he was released, following which he filed a case seeking quashing of the criminal complaint filed by Delhi Police against him and his associate. He argued that the transaction was directly between the buyer and the seller, without any intervention from the website. In 2005, the Delhi High Court held that prima facie, a case was made out against Bajaj and his website. The case against the website was made out for listing of the video clip and its content, which were pornographic in nature, while Bajaj was held liable under Section 85 of the IT Act. This Section says that when a company commits an offence under the IT Act, all executives in-charge at that time should be held liable and proceeded against. This decision was overturned in 2012 by the Supreme Court, which held that Bajaj or the website could not be held accountable since they were not directly involved in the said transaction. Following the decision, the IT Act was amended to introduce Section 79.

What happens if a social media firm is no longer protected under Section 79?

As of now, nothing changes overnight. Social media intermediaries will continue to function as they were, without any hiccups. People will also be able to post and share content on their pages without any disturbance. *Social media intermediaries such as Twitter, Facebook, and Instagram have so far not appointed a resident grievance officer, chief compliance officer and a nodal contact person as requires under the new rules announced in February. They have also failed to submit monthly action taken reports on grievances and complaints submitted to them by users. Thus, protection under Section 79 of the IT Act does will not hold for them. Further, Rule 4(a) of the IT Rules, which mandates that significant social media intermediaries must appoint a chief compliance*



officer (CCO) who would be held liable in case the intermediary fails to observe the due diligence requirements, also undermines the safe harbour protections. This, legal experts said, means that if a tweet, a Facebook post or a post on Instagram violates the local laws, the law enforcement agency would be well within its rights to book not only the person sharing the content, but the executives of these companies as well. *“Reading the provisions of the IT Rules in consonance with Section 69(a) of the IT Act suggests that this liability can even be criminal in nature where the CCO can be made to serve a prison term of up to 7 years,”* said Kazim Rizvi, founder of public policy think-tank *The Dialogue*. *The absence of the umbrella protection of Section 79 could also lead to situations where employees of the platform may be held liable for no fault on their part,* said Prasanth Sugathan, Legal Director at SFLC.in. *“This could lead to a situation where employees of social media giants could be held personally liable for failing to ensure that their employer complied with the statutory provisions. The employees could also be held liable for no fault on their part,”* he said.

What are the global norms on safe harbour protection for social media intermediaries?

As most of the bigger social media intermediaries have their headquarters in the US, the most keenly watched is Section 230 of the 1996 Communications Decency Act, which provides Internet companies a safe harbour from any content users post of these platforms. Experts believe it is this provision in the US law that enabled companies such as Facebook, Twitter, and Google to become global conglomerates. Like Section 79 of India’s IT Act, Section 230 of the Communications Decency Act states that “no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider”. This effectively means that the intermediary shall only be like a bookstore owner who cannot be held accountable for the books in the store, unless it is proven that there is a connection between the writer or publisher of the book and the bookstore owner.

Guidelines issued in February required all significant social media intermediaries to designate executives for these roles by May 26. Social media companies that have more than 50 lakh users in India are designated ‘significant’ social media intermediaries. Should the companies fail to comply over the next two days, they could lose protection accorded to them under section 79 of the Information Technology Act, sources said.

The IT Ministry is also learnt to have taken strong exception to the intermediaries’ stand that they would have to check with their headquarters in the United States before appointing executives in these positions. “In some cases, the reply we got from these intermediaries was that they were awaiting instructions from their headquarters in the US. How is it fair that when they do business in India and earn revenue from data of India users, the teams sitting in the US can make an ex parte assessment of the situation? Grievances cannot wait redressal from the US,” the source said.

Some significant social media intermediaries had sought up to six months from February 25 to finalise executives for these roles, but the Ministry had rejected the request and asked them to “strictly adhere” to the guidelines, sources said.

The IT Ministry has also sent a fresh communication to Twitter, asking it to disclose the names of its “fact-checkers”, how they are selected, and what is their “standing”, sources said. Two days ago, the Ministry had written to the micro-blogging platform asking it to remove the “manipulated media”



tag from some of the tweets sent by political leaders in reference to a “toolkit” created allegedly to “undermine, derail and demean” the government’s efforts against the Covid-19 pandemic. The Ministry had said that such tagging by Twitter appeared prejudged, prejudiced and a deliberate attempt to colour the investigation by local law enforcement agencies. “This action not only dilutes the credibility of Twitter as a neutral and unbiased platform facilitating exchange of views by the users but also puts a question mark on the status of Twitter as an intermediary,” the Ministry had said in the letter. Twitter had declined to comment on the Ministry’s letter. As of February 2021, India had 530 million WhatsApp users, 448 million YouTube users, 410 million Facebook users, 210 million Instagram users, and 17.5 million Twitter users, according to latest data from the IT Ministry.

NINE-PIN BOWLING AIMED AT FREE SPEECH, PRIVACY (K.T.S. TULSI - SENIOR ADVOCATE AT THE SUPREME COURT OF INDIA AND A MEMBER OF PARLIAMENT, RAJYA SABHA. TANESSA PURI - ASSOCIATE AT HIS CHAMBERS AND AN INCOMING LL.M. CANDIDATE AT NEW YORK UNIVERSITY)

The life of Indian Law rather than being shaped along mathematical exactitudes finds itself at the receiving end of an experiential tussle. This tussle has aimed at every stage to bargain for a Fundamental Right in return for some negotiation, sometimes with the desire of the coloniser and at others with the dominant ideology at the Centre.

There are ambiguities

The subject of concern now is the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (<https://bit.ly/3oR8ISk>) which threaten to deprive social media platforms of their safe harbour immunity in the event of non-compliance with the said rules. *While there are positive aspects about the said guidelines, there are, equally, glaring ambiguities and stifling susceptibilities that should render these contrary to past Supreme Court of India precedents such as K.S. Puttaswamy.* The Rules must be credited for they mandate duties such as *removal of non-consensual intimate pictures within 24 hours*, publication of compliance reports to increase transparency, setting up of a dispute resolution mechanism for content removal and adding a label to information for users to know whether content is advertised, owned, sponsored or exclusively controlled.

Gagging a right

However, the Supreme Court, in the case of Life Insurance Corpn. Of India vs Prof. Manubhai D. Shah (1992) had elevated ‘the freedom to circulate one’s views as the lifeline of any democratic institution’. It went on to say that ‘any attempt to stifle, suffocate or gag this right would sound a death knell to democracy’ and would ‘help usher in autocracy or dictatorship’. And so, it becomes increasingly important to critically scrutinise the recent barriers being imposed via these Rules against our right to free speech and expression. The problem started when these Rules came to life. *They were framed by the Ministry of Electronics and Information Technology (MeiTY). The Second Schedule of the Business Rules, 1961 does not empower MeiTY to frame regulations for ‘digital media.’ This power belongs to the Ministry of Information and Broadcasting.* In the given case although MeiTY has said that these rules shall be administered by the Ministry of Information and Broadcasting, however this action violates the legal principle of ‘colourable legislation’ where

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the legislature cannot do something indirectly if it is not possible to do so directly. *To propound the problem at hand, the Information Technology Act, 2000, does not regulate digital media. Therefore, the new IT Rules which claim to be a piece of subordinate legislation of the IT Act, travel beyond the rule-making power conferred upon them by the IT Act.* This makes the Rules ultra vires to the Act.

Fair recourse, privacy issues

An intermediary is now supposed to take down content within 36 hours upon receiving orders from the Government. This deprives the intermediary of a fair recourse in the event that it disagrees with the Government's order due to a strict timeline. Additionally, it places fetters upon free speech by fixing the Government as the ultimate adjudicator of objectionable speech online. The other infamous flaw is how these Rules undermine the right to privacy by *imposing a traceability requirement.* The immunity that users received from end-to-end encryption was that intermediaries did not have access to the contents of their messages. Imposing this mandatory requirement of traceability will break this immunity, thereby weakening the security of the privacy of these conversations. This will also render all the data from these conversations vulnerable to attack from ill-intentioned third parties. *The threat here is not only one of privacy but to the extent of invasion and deprivation from a safe space.* These regulations in the absence of a data protection law, coloured in the backdrop of recent data breach affecting a popular pizza delivery chain and also several airlines highlight a lesson left unlearned.

On fake news

The problem here is that to eliminate fake news — rather than defining its ambit as a first step, the Rules proceed to hurriedly take down whatever an arbitrary, ill-decided, biased authority may deem as "fake news". Lastly, the Rules create futile additional operational costs for intermediaries by requiring them to have Indian resident nodal officers, compliance officers and grievance officers. Intermediaries are also required to have offices located in India. This makes profit making a far-fetched goal for multinational corporations and start-up intermediary enterprises. *Therefore, not only do these Rules place a barrier on the "marketplace of ideas" but also on the economic market of intermediaries in general by adding redundant financial burdens.* Our concluding words on the rapidly diluting right to free speech are only those of caution — of a warning that democracy stands undermined in direct proportion to every attack made on the citizen's right to have a private conversation, to engage in a transaction, to dissent, to have an opinion and to articulate the same without any fear of being imprisoned.

WHATSAPP APPROACHES DELHI HC TO CHALLENGE NEW IT RULES

Instant messaging app WhatsApp has approached the Delhi High Court challenging the Central government's new Information Technology Rules, 2021, which include a requirement for social media platforms to compulsorily enable "the identification of the first originator of the information" in India upon government or court order. The Facebook-owned company argued that this provision forces it "to break end-to-end encryption on its messaging service, as well as the privacy principles underlying it, and infringes upon the fundamental rights to privacy and free speech of the hundreds of millions of citizens using WhatsApp to communicate privately and securely". The Information Technology (Intermediary Guidelines and Digital Media Ethics Code)



Rules, 2021, was notified on February 25 this year amidst concerns raised by various experts over its impact on privacy, freedom of expression and security of users online. *While this is the first major tech company to challenge the new IT rules, the Delhi HC is already seized of petitions by several news portals, such as The Wire, The News Minute, Quint Digital Media Limited and the Foundation for Independent Journalism, over its attempt to regulate digital news media.* The petitions claimed that the new rules seek to regulate online news portals by imposing a vaguely worded “Code of Ethics”. The High Court has sought a response from the Centre on the pleas. WhatsApp, in its plea, *has contended that the new IT Rules violate the fundamental right to privacy guaranteed under Article 21 of the Constitution of India. It highlighted the landmark judgment of the Supreme Court in the K.S. Puttaswamy case, where it held that the right to privacy is a fundamental right guaranteed under the Constitution.* More recently, the Supreme Court affirmed that the right to privacy included the right to anonymity, it argued. “Requiring intermediaries ‘to enable the identification of the first originator of the information’ in India on end-to-end encrypted messaging services constitutes a dangerous invasion of privacy,” WhatsApp said. “This would require Petitioner [WhatsApp] to build the ability to identify the first originator of every communication sent in India on its platform, *as there is no way to predict which message will be the subject of such an order seeking first originator information,*” it said. This eliminates the right of the hundreds of millions of Indian citizens using WhatsApp to maintain the privacy of their messages, which is antithetical to end-to-end encryption and the core privacy principles underlying it, the plea argued.

The new IT Rules also violate the fundamental right to freedom of speech and expression, WhatsApp argued as “privacy is inextricably intertwined with the right to freedom of speech and expression because it protects people from retaliation for expressing unpopular, but lawful, views”. “With end-to-end encryption, users feel safe to communicate freely,” WhatsApp said.

GOVT. CAN'T SEEK REMOVAL OF TWITTER TAG

The government does not have the power under the Information Technology Act to direct Twitter to remove the ‘manipulated media’ tag from certain tweets, experts have said. They say the Centre’s move raises concerns of censorship and view the action as “needless interference” in implementation of the terms of service of a private company conducting business in India.

However, the microblogging platform has not removed the label.

The Ministry of Electronics and Information Technology did not comment on whether it would take further steps, while Twitter refused to comment on the issue. *As per Twitter’s ‘synthetic and manipulated media policy’, it may label tweets that include media that have been deceptively altered or fabricated.* “In order to determine if media have been significantly and deceptively altered or fabricated, we may use our own technology or receive reports through partnerships with third parties. In situations where we are unable to reliably determine if media have been altered or fabricated, we may not take action to label or remove them,” the company policy states. Kazim Rizvi, founder of policy think-tank The Dialogue said, “All social media platforms have their terms of service which users sign up for at the time of joining a platform and agree to abide by these terms. If anyone violates these terms of service, they are subject to a range of enforcements as outlined by the respective platforms.”



Standard practice

Mr. Rizvi said this is a standard global practice for platforms across the world and not just for Twitter in India. He also pointed out that *the IT Act does not empower the Ministry of Electronics and IT to order a platform to undo its enforcement decision (labelling a post) and any attempt to interfere raises concerns of censorship and lack of transparency.* "It is important to note that *the IT Act empowers the government to order blocking and removal of content. It however does not allow the government with any power to interfere with enforcement decisions (labelling a post) of a platform in application of their own terms of service.*"

DIGITAL MEDIA TOLD TO REMOVE MENTION OF 'INDIAN VARIANT'

The government has asked social media companies to immediately remove any content on their platforms which mentions or refers to the term 'Indian variant' of coronavirus, in a bid to curb spread of misinformation around COVID-19. Digital platforms said they have received the latest advisory. On Friday, the IT Ministry wrote to all social media platforms emphasising that the World Health Organisation (WHO) has not associated the term "Indian Variant" with the B.1.617 variant of the coronavirus in any of its reports. A notice issued in this regard by the Ministry states that a "false statement" is being circulated online that implies that an 'Indian variant' of the coronavirus is spreading across the countries. The IT Ministry said the matter has already been clarified by the Ministry of Health and Family Welfare on May 12, 2021 through a press statement. The social media platforms have been asked to "remove all the content that names, refers to, or implies 'Indian variant' of corona virus from your platform immediately". Previously, the Ministry of Electronics and Information Technology had issued advisories regarding curbing of false news/misinformation concerning coronavirus on social media platforms. India is one of the biggest markets for digital platforms like Google, Facebook, and Twitter. As per data cited by the government, recently, the country has 53 crore WhatsApp users, 44.8 crore YouTube users, 41 crore Facebook users, while 21 crore use Instagram and 1.75 crore are on Twitter. Earlier this year, the government had introduced guidelines to curb the misuse of social media platforms.

AIR INDIA DATA BREACH MAY POSE LEGAL RISK

The breach of passenger data at Air India may pose litigation risks for the airline that could further delay the privatisation process, warn experts, adding that the national carrier must prioritise efforts to contain the damage from the cyber attack by informing passengers about steps they can still take to prevent fraud. In a press statement, *the airline said that its passenger processing system, supplied by multi-national information technology company SITA, was a target of a sophisticated cyber attack on February 25.* Nearly 45 lakh "data subjects" registered over a period of 10 years between August 2011 to February 2021 were affected around the world, including passengers of other airlines such as Singapore Airlines, Lufthansa, Cathay Pacific, United Airlines, among others. *The attack was on SITA's servers at its data centre in Atlanta, United States.* "A major impact it may have is that *the current process of privatisation may go slow as there will always be fear of unquantified litigation risks. They (government) may be able to separate past versus future liabilities, but it opens up a new avenue for a discussion with potential bidders,*" said Sivarama Krishnan, *Leader-Asia Pacific, Cybersecurity, PwC.* The extent to which individual airlines were affected due to the cyber attack varied from one airline to another. Some airlines wrote to their passengers saying only



passenger names and frequent flyer numbers were stolen. *In the case of Air India, the theft pertained to “name, date of birth, contact information, passport information, ticket information, Star Alliance and Air India frequent flyer data (but no passwords data were affected) as well as credit cards data (but no CVV data).”*

Note of caution

Experts recommend that Air India must prioritise alerting its customers and asking them to take specific preventive steps, says Sanchit Gogia, Founder, Greyhound Research. “The focus ought to be on remedial and protective measures rather than on investigation alone. *Air India should be releasing a public advisory either through e-mails or SMSes asking customers to beware of dubious emails, SMSes or calls. Customers must be told to change their passwords and credit and debit cards immediately.* This will go a long way in instilling confidence,” says Mr. Gogia. At the same time, there is no need to panic. “There is nothing much a hacker can do just by having a passport number in isolation. If you have safeguarded your email ids, and changed passwords, these measures will go a long way in curbing the steps to hack you.” *So far, Air India has issued a notification on its websites for its passengers urging them to change their passwords. The airline has said that it is investigating the data security incident and taking steps to secure the compromised servers besides engaging external specialists of data security incidents and liaising with credit card issuers.* In response to an e-mail query, SITA said on Saturday, “By global and industry standards, we identified this cyber-attack extremely quickly. The matter remains under active investigation by SITA. Each affected airline has been provided with the details of the exact type of data that has been compromised, including details of the number of data records within each of the relevant data categories, including some personal data of airline passengers.”

IMA DEMANDS ACTION AGAINST RAMDEV

The Indian Medical Association (IMA) has written to Prime Minister Narendra Modi, seeking his help to stop the misinformation campaign on COVID-19 vaccination and demanding action against Baba Ramdev for his alleged remarks on allopathy and allopathic doctors. “Misinformation campaign on vaccination by Patanjali owner Ramdev should be stopped. In a recent video he claimed that 10,000 doctors and several people have died despite taking both doses of vaccine. Action under sedition charges should be taken against him,” the two-page letter said. *The letter issued on Wednesday noted that India has lost over 1,000 doctors so far during the pandemic. “None in the first wave could receive the vaccine and the majority who had died in the second wave also couldn’t take their vaccine for various reasons. Now deceitfully attributing that several people have died in spite of two doses of vaccination, is a deliberate move to stall the efforts of vaccination to reach our masses and it needs to be curtailed immediately,”* said IMA president Dr.J.A. Jayalal. “IMA respects, acknowledges and compliments all systems of medicine especially our Indian system of Ayurvedic Medicine, as each system is helping our people differently. We are not against any medicine promoted by the Ministry and are happy to share in most of our public health treatment centres the drugs promoted by the AYUSH Ministry. *We opposed certain drugs promoted without the approval of the Ministry as a curative drug.*” Those who propagate fear of vaccination should be booked immediately, the IMA has said.



BABA IN A PANDEMIC

In the battle against the novel coronavirus, governments must not only facilitate the adoption of scientific protocols but must also be seen to be following science unequivocally. Unfortunately, this cardinal principle of public health has not received its due from the Centre and some state governments. They have not always acted decisively against those spreading misinformation. Worse still, *their failure to distance themselves from science deniers has sent out wrong signals to those waging a grim battle against a notoriously unpredictable contagion.* Baba Ramdev, for instance, has sought *to exploit mass anxiety by making inaccurate claims about products manufactured by his Ayurvedic pharmacy, Patanjali Ayurved.* On most occasions, he has got away with a mildly worded censure. *Union Health Minister Harsh Vardhan did come out strongly against the yoga guru last week after he disparaged the allopathic system as a “farce” and alleged that people had died because of allopathic medicines rather than oxygen shortage but Ramdev’s own response to the public outrage against the statement on doctors was more a disclaimer than an apology.* In his propagation of yoga and indigenous cures, Ramdev may have much in common with the world view of the Sangh Parivar. But this association acquires ominous portents when key aspects of the government’s response to the public health crisis bear its imprint. *In February, Union ministers Harsh Vardhan and Nitin Gadkari shared the stage with Ramdev at the launch of Patanjali Ayurved’s controversial Coronil care kit.* And, less than a week after the yoga guru’s outburst against allopathy, *Haryana’s BJP-led government made the Coronil kit a part of Covid care in the state — about a lakh such kits will be distributed amongst patients.* Doctors and other healthcare professionals tirelessly battling the virus at the frontlines could do without such ill-judged policy. It’s disturbing that *a therapy with a nearly year-long history of dubious claims — from being touted as a cure for Covid to being held up as an immunity booster — has a state government’s backing.* This is not to undermine the role of Ayurveda in healthcare but to underline the primacy of regulatory protocols and evidence-based policy in the fight against the virus. This imperative is heightened given that *quackery and anti-science attitudes are rampant in parts of the country.* The government can ill afford to be seen to be at odds with science and evidence-based policy during the country’s worst health crisis.

WHY LAKSHADWEEP ADMINISTRATION PROPOSALS HAVE UPSET LOCALS

Over the last few weeks, public anger has been simmering in the Lakshadweep islands over a number of controversial proposals floated by the Union Territory Administrator, Praful K Patel. Also the Administrator of the UT of Dadra and Nagar Haveli and Daman and Diu, Patel was given additional charge of Lakshadweep following the death of Dineshwar Sharma last December. While the UT Administration has said Patel’s proposals are aimed at ensuring safety and well-being of residents along with promoting the islands as a tourist destination on par with the Maldives, residents view them as ripping the social and cultural fabric of the islands. Some of the proposals include:

Cow slaughter & beef

PROPOSAL: An order from the Administration seeks *to ban the slaughter of cow, calf, bull and buffalo without a certificate from a competent authority. It prohibits the sale, transport and storage of beef and beef products.* Penalties include a jail term up to one year and a fine of Rs 10,000. The Administration has not provided an explanation on why the rule was brought in.



PROTEST: Residents view the rule as a direct infringement on their culture and eating habits. They allege the rule was decided without consultation with local bodies.

Two-child policy

PROPOSAL: Under the Draft Panchayat Regulation 2021, *the Administration aims to bar people with more than two children from becoming a member of the gram panchayat*. For those who already have more than two children, the regulation does not disqualify them provided they do not have further children after the date on which the rule comes into effect.

PROTEST: Locals have questioned the motive. The NCP and the Congress too have opposed the move.

Serving liquor to tourists

PROPOSAL: The Administration has decided *to allow liquor to be served at resorts on inhabited islands*. Currently, *prohibition is in place on all inhabited islands, with liquor served only at resorts on the uninhabited Bangaram island*. Collector S Asker Ali clarified that liquor permits would be given only to resorts for tourists, not for locals.

PROTEST: Residents have alleged that the move will lead to a proliferation of liquor sales on the island, which had been observing near-prohibition until now.

Land acquisition powers

PROPOSAL: The Administration brought in a draft Lakshadweep Development Authority Regulation (LDAR) to oversee development of towns on the islands, *with sweeping changes in the way land can be acquired and utilised*. It talks of declaration of 'planning areas' and constitution of 'planning and development authorities' for preparing a land use map and register, ostensibly for large projects.

PROTEST: Residents have protested against the way it was prepared and pushed through without consultation. *They fear large infrastructure and tourism projects can destabilise the ecology, and that the notification gives powers to the Administration to remove small landholdings of ST residents*.

Anti-Goonda regulation

PROPOSAL: *The draft Lakshadweep Prevention of Anti-Social Activities Regulation provides for powers to detain a person for up to one year to prevent him from "acting in any manner prejudicial to the maintenance of public order"*. It allows for detention for anti-social activities from six months to a year without legal representation. The Collector said while the island remains peaceful, there have been reports of drugs being found along with weapons and live ammunition. He said the regulation is required to keep the "youth from getting misguided by illegal businesses".

PROTEST: Residents are sceptical of the need for such a stringent law in a UT with *one of the lowest crime rates in the country*. *They allege it has been brought in to arrest those opposed to the Administration*.



Covid-19 SOPs

PROPOSAL: *For a year, Lakshadweep did not record any case of Covid-19, thanks to stringent quarantine protocols and testing of inbound travellers. Last December, Covid-19 SOPs were diluted by doing away with mandatory quarantine for travellers at Kochi and Kavaratti. Instead, anyone with a negative RT-PCR certificate issued in the previous 48 hours could travel to Lakshadweep. The Administration said the SOPs were changed in accordance with Home Ministry rules and to allow for reopening of the economy.*

PROTEST: The change led to the island losing its 'green zone' tag and a spurt in infections in subsequent months. As of May 28, the Union Territory has reported over 7,300 cases and 28 deaths. Islanders blame the Administration for mismanagement in handling of the pandemic.

Lakshadweep, an archipelago of 36 islands totalling 32 square kilometres in the Arabian Sea, has had an idyllic existence as a Union Territory. But no longer, it seems, as the long arm of Delhi is rummaging around the islands these days. Praful K. Patel, a BJP politician from Gujarat, who arrived as Administrator in December, appears determined to upend the landscape and recast the lives of the islanders, around 70,000 of them, all according to his authoritarian imagination. The draft Lakshadweep Development Authority Regulation 2021 gives sweeping powers to the Administrator to take over land and forcibly relocate people, and proposes harsh punishment to those who resist.

Mr. Patel is no stranger to controversies. In March, the Mumbai police named him as an accused in a case related to the death by suicide of seven-time Dadra and Nagar Haveli MP Mohan Delkar. Mr. Patel was named in the suicide note. *He is the first politician to become the Administrator.* In the last five months, he has demonstrated a unique disregard for the people's concerns and priorities. *In the absence of any administrative rationale or public good in these blatantly arbitrary measures, there are fears of other motivations.* Commercial interests could be at play, and the land that inhabitants are forced to part with could be transferred to buyers from outside. There could also be ill-advised political plans to change the demography of the islands.

People have risen in protest, but far from listening to them, the Administrator seems insistent on his plans. *Rajya Sabha Members from Kerala, K.C. Venugopal of the Congress and Elamaram Kareem of the CPI(M) have in separate letters urged the President to recall the Administrator. The rationale for carving out Union Territories as an administrative unit is to protect the unique cultural and historical situations of their inhabitants. The Centre is inverting its responsibility to protect into a licence to interfere.* It must recall the Administrator and reassure the islanders.

INDIAN YOUTH MARRYING LATER, BUT TRADITIONAL ATTITUDES REMAIN

As norms and values around marriage and family life change, the Indian youth too are being influenced by recent trends. Compared to a decade ago, youth are now marrying later in life. Lokniti-CSDS Youth Studies in 2016 and 2007 show the proportion of married youth decreased by eight percentage points from 55% in 2007 to 47% in 2016. As one would expect, the data highlight that a much higher share of young men were unmarried (61%) compared to women (41%). Educational attainment too is an important factor associated with marriage. One observes a decline in the proportion of married youth with successive levels of education.



Marital preferences

In an age of online dating, growth of social networking and matrimonial sites, arranged marriages are still a preferred choice: 84% of the married youth in 2016 said their marriage was decided by families and only 6% reported self-choice. Unmarried youth too showed an inclination towards arranged marriages with 50% saying they would opt for this kind of marriage. Only 12% said they would opt for self-choice marriage. Surprisingly, the 2016 study indicates that a mere 3% of youth had placed a matrimonial advertisement. The study also showed that 31% of the youth said their parents will have or had a lot of influence on their marriage decision. This influence was greater for women (35%) than men (28%). Moreover, data from a recent study, 'Politics and Society between Election', show there is some change in attitudes — if not in practice — when it comes to decision-making for women in marriage: 72 % support women's say in when to get married and 74 % in whom to marry. There has been an attitude shift on the importance of marriage with an increase in acceptance of being single. Though close to 5 in 10 Indian youth said it is important to get married, this is much lower than 8 in 10 a decade ago. Barring non-literates, all other groups were found to be over twice more likely to express this sentiment than they were a decade ago.

Caste & religion

The Youth Study 2016 shows that marriage across caste and religion is still not accepted in an arranged marriage set-up. Among the married youth, very few had opted for inter-caste (4%) or marriage outside their religion (3%). These were more prominent among love marriages (inter-caste 34%; inter-religious 12 %). However, the study showed that its acceptance was much higher than what was in practice. One notices an upward trend in acceptance for inter-caste marriages, from 31% in 2007 to 56% in 2016. On the contrary, the acceptance of inter-religious marriage is much lower, with 47% approving of it and 45% considering it wrong. Youth who had an arranged marriage displayed more resistance towards the idea of inter-caste and inter-religious marriages than those whose marriage had been self-arranged. Less than a quarter of youth consider love affair between two boys or two girls as right (24% and 26% respectively). Over half (53%) in 2016 were opposed to dating before marriage, but this too has declined from 2007 (60%). However, 67% youth consider the idea of live-in before marriage wrong.

Life partner consideration

When it comes to characteristics one seeks in one's life partner, the youth seem rather vague. Close to half the respondents did not respond to the question. Among those who responded, 14% said their biggest consideration was that the person should have a good nature and simple personality; 8% gave priority to education and 5% each to being respectful and understanding and being traditional, cultured and having moral values. Another 5% said looks and skin colour were their biggest consideration. The spouse's profession and salary were important to about 4%. A higher proportion of men gave primacy to qualities such as education and looks, especially skin colour. Young women, on the other hand, were more likely to give importance to profession and salary compared to young men. On most other parameters, there was no striking difference between men and women. To sum up, the youth are marrying late; the institution of arranged marriage is still intact; marrying across caste or religion is still not much accepted; and overall, attitudes to marriage remain within the boundaries of traditional thinking.



WEATHERING STORMS

India's capacity to withstand multiple, near-simultaneous shocks is being tested, with a Very Severe Cyclonic Storm, Yaas, striking Odisha, just a week after an even stronger Cyclone Tauktae wreaked havoc along the west coast. Yaas, which put up an unnerving display of tornadoes and rain, smothered the north Odisha coast as it made landfall, but the preparatory mass evacuation from habitations appears to have limited the loss of life. Yet, thousands have lost houses and property. West Bengal and Jharkhand also bore the brunt of the weather system's force, as it punched its way inland from May 26, weakening into a deep depression. All coastal States facing the Bay of Bengal have always been in the path of severe cyclones, the majority following the withdrawal of the monsoon, but their vulnerability may be growing as pre-monsoon and post-monsoon storms increase in frequency and strength. Moreover, for the second year running, States have been hobbled by the COVID-19 pandemic. The 2021 season comes as another reminder that India will have to improve its resilience to cyclones. Governments are, no doubt, more sensitive to loss of life today and are raising the capacity of the disaster response forces, but much work needs to be done when it comes to protecting assets and creating fiscal instruments to help people rebuild their lives. While the full extent of displacement and losses from Cyclone Yaas is yet unknown, past experience points to a growing threat to overall well-being from such catastrophes. The World Meteorological Organization in its State of the Global Climate 2020 report described Cyclone Amphan that hit Bengal in May last year as the costliest cyclone on record for the North Indian Ocean, with economic losses to India of the order of \$14 billion. In human terms the extreme event displaced 2.4 million people. What stood out in its aftermath was corruption in the distribution of relief, putting West Bengal Chief Minister Mamata Banerjee in a spot. The Amphan experience should convince Chief Ministers that they must insure people against losses from catastrophes using a system of documentation that makes relief and rehabilitation funds non-discretionary. Half a century of economic wisdom postulates that governments are best placed to compensate people, since they can spread the cost of the risk of disasters across the population. But the challenge is to address the risk of cyclones and other extreme weather events using specific funds, making citizens members in a social insurance model. Moreover, considering the negative climate change impact on tropical cyclones, rebuilding should use a green, build back better approach. Cyclones will otherwise take the shine off economic progress.

NARASIMHAN, MATH SCIENTIST, IS NO MORE

Mudumbai Seshachulu Narasimhan, a towering figure in Indian science, passed away on May 15 in Bengaluru; he would have turned 89 on June 7. He was a world-renowned mathematician of extraordinary breadth and depth, who made fundamental contributions to diverse fields in mathematics such as algebraic geometry, differential geometry, representation theory and partial differential equations. Born in 1932 in a family of agriculturalists in Tandarai village in northern Tamil Nadu, Narasimhan had a keen interest in mathematics from his school days.

Narasimhan went to TIFR for his PhD in 1953 and among his co-students was C.S. Seshadri, with whom he went on to collaborate closely. *Narasimhan and Seshadri shot to fame in 1965 with the publication of the Narasimhan-Seshadri theorem*, which makes a deep and unexpected connection between two different areas of modern mathematics. This and the Harder-Narasimhan filtration

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(which was discovered later with German mathematician G. Harder) have been generalised and stand as fundamental examples of paradigms with wide applicability.

He won the S.S. Bhatnagar prize in 1975, Third World Academy award for mathematics in 1987, Padma Bhushan in 1990, Fellow of the Royal Society and King Faisal International Prize for Science in 2006 (jointly with Simon Donaldson, Imperial College). Narasimhan was married to Sakuntala Narasimhan, a musician, journalist and consumer advocate. Their daughter and physicist Shobhana Narasimhan is at JNCASR, Bengaluru, and son Mohan is a management professional in Bengaluru.

WEDDING IN THE SKIES ENDS IN COVID NOTICE; PROBE ON, SPICE JET CREW OFF-ROSTERED

The Directorate General of Civil Aviation (DGCA) has launched an investigation into a case of 161 passengers on board a chartered SpiceJet flight flouting onboard Covid norms while attending a mid-air wedding ceremony on Sunday. "The crew of the flight has been off-rostered and the airline has been directed to lodge a complaint with relevant authorities against those not following Covid-appropriate behaviour," a senior DGCA official said, adding that the aviation safety regulator was conducting an inquiry into the incident "and shall take strict action". The flight, operated by SpiceJet and chartered by a Madurai businessman, took off from Madurai and landed back in the city after a two-hour "joy ride" on Sunday, with the couple and their relatives and friends on board. On Monday, videos of the wedding ceremony from within the flight emerged on social media with passengers being seen without masks or face-shields and not following social distancing norms onboard the aircraft. According to sources and flight tracking portal Flightradar24, the flight hovered over Madurai's Meenakshi Amman temple as the couple completed the marriage rituals. Tamil Nadu, which is under a Covid-19 lockdown, only allows for a maximum of 50 people to attend wedding celebrations. In March, the DGCA had issued a circular to all airlines, airports and the Central Industrial Security Force (CISF) to treat passengers who violate Covid-19 protocol, despite repeated warnings during the course of the flight, as "unruly passengers". This meant that passengers who do not wear their masks appropriately or follow social distancing norms during a flight could land on the no-fly list for at least three months. In a statement, a SpiceJet spokesperson said, "A SpiceJet Boeing 737 was chartered by a travel agent in Madurai on May 23, 2021, for a group of passengers for a joy ride post their wedding. The client was clearly briefed on Covid guidelines to be followed and denied permission for any activity to be performed on board. The approval for this flight was taken as a joy ride for the wedding group." "The agent and the guest passengers were briefed in detail, both in writing as well as verbally, on social distancing and safety norms to be followed as per Covid guidelines both at the airport and onboard the aircraft throughout the journey. The group was repeatedly briefed on the safety norms to be followed by the operating cabin crew and advised to follow the protocols laid down by DGCA including restrictions on photography and videography. Despite repeated requests and reminders, the passengers did not follow Covid guidelines and the airline is taking appropriate action as per rules," the spokesperson added. According to DGCA's rules on dealing with unruly passengers, there are three levels of putting an offender on the no-fly list — three months for verbal abuse, six months for physical assault, and two years or more for life-threatening behaviour. The rules also stipulate that after the airline's crew file a complaint, an internal



committee formed by the airline will decide the nature of the offence and the level of punishment that needs to be given to the passenger.

HOW WHITEFLIES CAME, SAW AND CONQUERED INDIA'S CROPS

It was early summer in 2016 when Selvaraj Krishnan and his team from ICAR- National Bureau of Agricultural Insect Resources set out to investigate a coconut field in Tamil Nadu. They were surveying the area for the whitefly, which was reducing the yield and wreaking havoc: the whitefly. The first invasive whitefly reported from Kerala in 1995 has now spread across the country, and a study has now detailed the damage caused by the pest.

Patterns of occurrence

Extensive studies were carried out from 2015 to 2020 across the country to understand the patterns of occurrence, the intensity of the infestation and their natural enemies. The team visited at least 5 to 10 locations in each district and 5 to 12 districts in each state including the islands of Lakshadweep. They extracted genomic DNA from individual adult whiteflies and explained in detail about *eight invasive species found in India*. "Most of these species are *native to the Caribbean islands or Central America [or both]*. It is difficult to pinpoint how they entered our country. Most probably a nymph or baby insect may have come along with imported plants. Also nowadays with globalisation, *it is also possible that tourists may have brought the insect along with plants. Out of curiosity, people randomly pluck and bring tiny plants which lead to the accidental introduction of invasive species*. We need to create awareness among the travellers," explains R. Sundararaj from the Forest Protection Division at ICFRE-Institute of Wood Science and Technology. He is the first author of the paper published in Phytoparasitica. The team note that the first reported invasive spiralling whitefly *Aleurodicus dispersus* is now *distributed throughout India except Jammu & Kashmir*. Similarly, the rugose spiralling whitefly which was reported in Pollachi, Tamil Nadu in 2016 has now spread throughout the country including the islands of Andaman Nicobar and Lakshadweep. Recent reports have indicated that approximately 1.35 lakh hectares of coconut and oil palm in India are affected by the rugose spiralling whitefly. The team found that the host range of all of the invasive whiteflies was increasing due to their *polyphagous nature* (ability to feed on various kinds of food) and prolific breeding. *Aleurodicus dispersus* and *Aleurodicus rugipericulatus* have been reported on over 320 and 40 plant species, respectively.

Invasive whiteflies

Other invasive whiteflies were also found to expand their host range on valuable plants species, especially coconut, banana, mango, sapota, guava, cashew, oil palm, and ornamental plants such as bottle palm, false bird of paradise, butterfly palm and important medicinal plants. *The team also carried out explorative surveys to find novel biological control of these invasive pests*. "The whiteflies are *difficult to control by using synthetic insecticides*, and hence currently *naturally occurring insect predators, parasitoids and entomopathogenic fungi (fungi that can kill insects) are being used*. They are not just environmentally friendly but also economically feasible," explains Selvaraj Krishnan, corresponding author of the paper. "*Entomopathogenic fungi specific to whiteflies are isolated, purified, grown in the lab or mass-produced and applied into the whitefly infested field in combination with the release of lab-reared potential predators and parasitoids*," he says. He adds that *continuous monitoring of the occurrence of invasive species, their host plants and geographical*



expansion is needed, and if required, import of potential natural enemies for bio-control programmes can also be carried out.

HOW UNESCO GRANTS WORLD HERITAGE SITE TAG

The Maharashtra government has submitted a tentative “serial” nomination seeking the World Heritage Site tag for 14 forts from the era of 17th century Maratha king Chhatrapati Shivaji Maharaj on the theme of Maratha Military Architecture in Maharashtra. The serial nomination was forwarded by the Archaeological Survey of India to UNESCO through the Ministry of Culture. UNESCO has accepted the nomination in Tentative Lists of its World Heritage Site. According to the World Heritage Convention’s operational guidelines, a tentative list is an “inventory” of properties a country believes deserves to be a World Heritage Site. After UNESCO includes a property in the Tentative List, that country has to be prepare a nomination document that will be considered by the UNESCO World Heritage Committee. A World Heritage Site is a location with an “outstanding universal value”. This signifies “cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity”.

The 14 Forts in Maharashtra’s proposal

Raigad Fort

Originally called Rairi, it is built on a large wedge of a hill in the Sahyadris, separated from the main range by a ravine. The capital fort of the Maratha Empire, it was rebuilt for the coronation of Chhatrapati Shivaji Maharaj.

Rajgad Fort

Hill fort in Pune district, capital of the Maratha Empire under Chhatrapati Shivaji for almost 26 years, before the capital moved to the Raigad Fort.

Shivneri Fort

Near Junnar in Pune district. Shivaji’s birthplace, it consists of 7 gates. It is an example of Bahamani/ Nizamshahi architecture providing a backdrop to narrative of guerrilla warfare.

Torna Fort

Fort in Pune district, captured by Shivaji in 1646, when he was 16, and marked the beginning of the Maratha empire.

Lohagad

Close to Lonavala, it overlooks one of the most picturesque valleys and is believed to have been built in the 14th century. It is an example of Maratha hill fort architecture until Peshwa period.

Salher Fort

One of the highest forts in the Sahyadris, located in Dolhari range of Nashik. The fort witnessed a key battle in 1672 between Marathas and Mughals.

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Mulher Fort

In Nashik; one of three forts situated on a hill, flanked by Mora to the east and Hatgad to the west. The surrender of Mulher ended the third Maratha War.

Rangana Fort

In Kolhapur, bordering Sindhudurg. Aurangzeb tried to conquer it along with Bhudargad and Samangad in his Deccan campaign, did not succeed.

Ankai Tankai Forts

In Nashil district, Ankai and Tankai are separate forts on adjacent hills, with a common fortification wall.

Kasa Fort

Popularly known as Padmadurg, built on a rocky island off coast of Murud, and provided a base for naval military operations.

Sindhudurg Fort

Built by Chhatrapati Shivaji Maharaj in 1668, This sea fort is considered a masterpiece in military defence..

Alibag Fort

Popularly known as Kulaba Fort, it was chosen as one of the forts to be modelled as a naval base by Chhatrapati Shivaji.

Suvarnadurg

Built on an island, it was repaired and strengthened by Shivaji Maharaj in 1660.

Khanderi Fort

Khanderi, officially named as Kanhoji Angre Island in 1998, is 20 km south of Mumbai. Built in 1679, Khanderi Fort was the site of many battles between Shivaji Maharaj's forces and the navy of the Siddhis.

PANDEMIC-HIT UPSC ASPIRANTS SEEK ONE MORE CHANCE

Civil services aspirants, whose final attempt at the elite exams in 2020 was affected by the pandemic, have approached the Supreme Court again for a chance this year, citing the "most exceptional circumstances". Two categories of UPSC aspirants have moved the apex court separately. The first are candidates who were unable to take their final attempt on October 4, 2020 due to the COVID-19 situation and lockdown. "The exam was scheduled to happen on October 4, 2020. However, on the day of exam they were directly or indirectly affected by COVID-19 pandemic. Hence, on account of the restrictive protocols and guidelines given by the State, which included mandatory quarantine, etc., the petitioners were unable to appear in the exam and take

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their last attempt,” writ petitions filed by these aspirants, represented by advocate Samar Vijay Singh, said. A Bench led by Justice A.M. Khanwilkar, on April 19, had asked these petitioners to serve an advance copy of their pleas to the government side through the central agency of the apex court. The second group are aspirants, represented by advocate Ashutosh Ghade, who managed to take the exam on October 4. In an intervention application before the apex court, they submitted that their preparation and final attempt at the exam in 2020 was severely affected by the pandemic. The four applicants led by Dr. Vishnu Shivaji Bulbule, a medical doctor based in Pune, said they had taken the civil services exam even as they worked in the frontlines of the pandemic as ‘Corona warriors’. The applicants sought parity with others who had not attempted the exam last year. They said they took the exam in a peculiar situation while suffering from the mental and physical trauma and pain caused by what they saw around them. Their attempt was also crippled by the lack of study material, infrastructure and loss of income. They said while most aspirants had the luxury of another chance at the civil services exam and could afford to miss the 2020 one, last attempters, who had dreamed of joining the services to serve the country, were compelled to risk their health during the pandemic and take the exam on October 4. They have sought an “extra attempt in addition to their permissible attempts, so as to enable them to appear in the Civil Services Examination (CSE) for the year 2021-2022”. The aspirants have highlighted how the Supreme Court in an order on September 30 last year had asked the government to consider giving the last attempters of 2020, who would be age-barred in 2021, a one-time age relaxation for appearing in CSE-2021. They said the government and UPSC had not taken the suggestion favourably.

A HEALTH WARNING

The fight against the second wave of the pandemic has reached a critical stage. There are signs of the outbreak abating, in parts of the country including the National Capital Region and its neighbourhood. But since the pathogen is known to change trajectory, experts have rightly urged people to remain vigilant and avoid large gatherings that could turn into super spreader events. The Samyukta Kisan Morcha (SKM), the umbrella body of farmers’ unions, which is planning mobilisations to mark six months of the agitation against the Centre’s farm laws, must urgently heed this public health message. The SKM has announced “an intensification of struggle in the next phase, beginning with a national day of protest on May 26”. In a letter to Prime Minister Narendra Modi, it admits to “being deeply conscious of the risks of the pandemic”. But the risk of exposure to the contagion hasn’t yet made the outfit review its plans. That convoys of farmers have reportedly set off from Punjab and Haryana amid the still raging public health emergency is a matter of grave concern. The farmers began camping in the outskirts of Delhi when the first wave of the pandemic was past its peak. They upped the ante in the next four months and did not backtrack even after the virus returned with a vengeance. By the Morcha’s own admission, some 470 farmers have lost their lives — it is not clear how many of those deaths were due to Covid. *Any swelling of the ranks of the protesters now carries the risk of aggravating the health crisis, especially with the virus mutating into a more infectious variant. The agitating farmers risk harming not just themselves but carrying the contagion back to their villages and risking the lives of their family members, friends, neighbours and co-workers.* This could present another set of challenges for the overworked doctors, nurses, healthcare professionals and testing and contact tracing teams. In their letter to the PM, the Morcha leaders demanded that the government improve medical facilities and increase the pace of vaccination. There is no doubt that this must be done

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



on a war footing. But an adversary like the novel coronavirus must be fought on several fronts. It's incumbent on all to adopt the safety-first approach — whether it be the citizen, the government, or those who mobilise mass gatherings like organisers of the Tablighi Jamaat meet last year, or of the Kumbh Mela, or the leaders of the farmers' protest. Leaders of Opposition parties may have legitimate political reasons to add their voice to the SKM agitation, but in this moment, they must also recognise the serious health challenge. In the past, the peaceful protest has drawn the admiration of even those who may not agree with its cause — after the January 26 violence, it also showed a commendable capacity for self-correction. Punjab Chief Minister Amarinder Singh has pleaded with the farmer leaders not to go ahead with their agitation. The SKM should act on the public health warning.

THE OUTDATED NATURE OF BUREAUCRACY (ZUBAIR NAZEER - ASSISTANT PROFESSOR (PUBLIC ADMINISTRATION) AT JAMIA MILLIA ISLAMIA, NEW DELHI)

COVID-19 has tested the resilience of all public institutions. Despite its efforts, bureaucracy has emerged as a major concern for the ineffective response to the COVID-19 crisis. This inadequacy is the reflection of the outdated nature of public bureaucracy. In the 21st century, democratic countries are still relying on traditional bureaucracies to perform public policy formulation and implementation roles. These bureaucracies have outlived their relevance. *Weberian bureaucracy still prefers a generalist over a specialist. A generalist officer (IAS and State civil service officials) is deemed an expert and as a result, superior, even if the officer works in one department or ministry today and in another tomorrow. Specialists in every government department have to remain subordinate to the generalist officers.* The COVID-19 pandemic has exposed this weakness. *Healthcare professionals who are specialists have been made to work under generalist officers and the policy options have been left to the generalists when they should be in the hands of the specialists. The justification is that the generalist provides a broader perspective compared to the specialist.*

Weberian bureaucracy

Traditional bureaucracy is still stuck with the leadership of position over leadership of function. Leadership of function is when a person has expert knowledge of a particular responsibility in a particular situation. The role of the leader is to explain the situation instead of issuing orders. Every official involved in a particular role responds to the situation rather than relying on some dictation from someone occupying a particular position. *Weberian bureaucracy prefers leadership based on position. Bureaucracy has become an end in itself rather than a means to an end. Further, the rigid adherence to rules has resulted in the rejection of innovation. It isn't surprising to see COVID-19 aid getting stuck in cumbersome clearance processes even during the pandemic.* The reform often suggested in India is new public management. This as a reform movement promotes *privatisation and managerial techniques of the private sector as an effective tool to seek improvements in public service delivery and governance.* But this isn't a viable solution, not the least in India where there is social inequality and regional variations in development. It renders the state a bystander among the multiple market players with accountability being constantly shifted, especially during a crisis. Further, COVID-19 has shown that the private sector has also failed in public service delivery.



Collaborative governance

The most appropriate administrative reform is the model of *new public governance*. This model is *based on collaborative governance in which the public sector, private players and civil society, especially public service organisations (NGOs), work together for effective public service delivery*. There is no domination of public bureaucracy as the sole agency in policy formulation and implementation. *As part of new public governance, a network of social actors and private players would take responsibility in various aspects of governance with public bureaucracy steering the ship rather than rowing it. During the pandemic, we see civil society playing a major role in saving lives. As part of new public governance, this role has to be institutionalised. It needs a change in the behaviour of bureaucracy.* It needs flexibility in hierarchy, a relook at the generalist versus specialist debate, and an openness to reforms such as lateral entry and collaboration with a network of social actors. *All major revolutions with huge implications on public service delivery have come through the collaboration of public bureaucracy with so-called outsiders. These include the Green Revolution (M.S. Swaminathan), the White Revolution (Verghese Kurien), Aadhaar-enabled services (Nandan Nilekani) and the IT revolution (Sam Pitroda).* New public governance is the future of governance, especially public service delivery.

HUMANITY MATTERS, CAPITALISM NEEDS AN UPGRADE (ARUN MAIRA - THE AUTHOR OF 'A BILLION FIREFLIES: CRITICAL CONVERSATIONS TO SHAPE A NEW POST-PANDEMIC WORLD')

The COVID-19 vaccine crisis is another tragic instance of a clash between the needs of humanity and the principles of capitalism. Capitalists insist that private producers of vaccines must make profits because that is their compensation for investing in research and production. If the prices they charge are beyond the reach of poor people, they are not morally compelled to serve them at a loss. Then, governments must step in and buy from private producers and subsidise sales to poorer people. For which, governments need revenues of course, and taxes on private companies could be a significant source. However, if private companies also press governments for lower taxes, to make their investments more attractive; and if the government is also pushed by them, on ideological grounds, to stay out of business, viz. not having any "public sector" production enterprises, governments find both their hands tied behind their backs in crises when citizens blame them for breakdowns of public services. The Indian government is facing this crisis now.

Conversion of the commons

How Will Capitalism End? Ask Wolfgang Streeck and his co-authors in their book with that title. It will end, they say, when the forces that support capitalism run out. *Capitalism expands by converting "the commons" into private capital. Economists justify this on practical grounds: it is the 'tragedy of the commons', Garrett Hardin postulated, that people will not care for something unless they own it. This is an ongoing justification for capitalist businesses owning land and forests and water resources.* Businesses convert natural capital into financial capital and use it for generating profits and more capital for themselves. Over-exploitation of the earth's resources to produce profits has contributed to the crisis of environmental sustainability and climate change. The concept of ownership of assets for creating wealth had gone too far when slaves without human rights were used in capitalist enterprises as their economic assets until moralists objected.



Creation of monopolies

Slavery is banned by law and the earth's resources are limited. Therefore, capitalism has moved on to convert knowledge into private property. Modern regimes of intellectual property rights (IPR) with armies of patent lawyers help capitalists to create intellectual property monopolies. Thus, *people are denied the use of their own knowledge — as they are when natural products, such as neem and turmeric are patented by capitalists. Thereby, communities whose traditions produced the knowledge must pay those who stole it from them, albeit legally.* The public contributes to the creation of scientific knowledge in many ways, for example through government research and development grants and subsidies, as Mariana Mazzucato explains in her book, *The Value of Everything: Making and Taking in the Global Economy*. In fact, *large public assistance in various ways has enabled U.S. pharmaceutical companies to develop their new COVID-19 vaccines at 'warp speed'.* *India has been a spoiler in the global Trade-Related Aspects of Intellectual Property Rights (TRIPS) regime which was promoted by the World Trade Organization in 1995 for uniform global IPR rules. TRIPS is founded on the principle of "product patents". India had a different approach to IPR based on "process patents". Product patents allow inventors of new drugs to have exclusive rights to produce and sell them for some years. Producers can use their monopoly to fix higher prices and make more profits for recovering their investments in drug development. Thus, the quantum of production is limited by the inventor to keep prices high. On the other hand, the process patents route forced Indian producers to invent better processes for producing larger volumes at lower costs of 'generic' versions of the medicine. This benefited citizens of poorer countries including India.* However, Indian generic drug producers became threats to the pricing power of 'innovator' drug producers from the West. TRIPS does have a provision to enable governments to enforce 'compulsory licensing'. They can demand that an innovator company must allow domestic, lower cost, producers to increase the supply of the drug in an emergency, with compensation to the inventor of course. However, western companies do not like this provision, which has been used before by the South African government, for example, to get drugs for AIDS produced by Indian low cost producers when the AIDS pandemic was raging and Africans could not pay the high prices charged by western companies. This is the provision that South Africa and India want to invoke now to enable production of the new U.S. invented COVID-19 vaccines whose prices are too high for poorer countries. *There are three stakeholders involved in a system to produce adequate volumes of affordable medicines: citizens who need the medicines, governments who must ensure they get them, and private companies who produce and sell them.* If the stand of private companies is that because their business must be only business, and the public good is not their responsibility, governments must step in. They must have the means to regulate the prices and also to enhance production. However, if private companies (and the economists who support them) take the view that any interventions by governments distort the market, and go even further to say that taxes must be reduced to make their investments more attractive, governments have both hands tied behind their backs when they have to step in to help people in distress.

Public sector versus private

Many economists do not like 'public sector' enterprises. Whenever governments set up 'public sector' enterprises, such as banks, hospitals, and schools, economists can prove that these enterprises do not produce as much shareholder returns than they would if they were 'privatised'. If they were privatised, their owners' objectives would be primarily, if not entirely, to maximise



returns to investors. In that case, public benefits are relegated to the background, or even drop right off the table. Therefore 'private' will always be better than 'public' by the limited metric of shareholder returns. *The purpose of governments is to improve the all-round well-being of all citizens; not merely to provide products to customers who can pay good prices for them, which is the means by which private enterprises meet their objective of producing profits for their investors.* The COVID-19 crisis has revealed the inadequacy of capitalism to fulfil societal needs. If capitalist enterprises are not willing to fulfil public purposes, governments must create more public spirited enterprises to provide public goods equitably to all citizens. *Relentless economic growth is devouring the earth that hosts humanity. With artificial intelligence algorithms in social media, capitalist enterprises are able to manipulate human minds. Their investors have become the richest people on the planet.* New mRNA technologies on which some new COVID-19 vaccines are based provide the means to manipulate the composition of human bodies. Thus, capitalists can create even more wealth for themselves off human beings.

Time to reflect

Money-driven capitalist values have drifted too far from human values. Money has become the supreme measure of success in all spheres: the wealth of individuals, the size of companies, and the scales of nations' economies. The sustainable health of complex systems — which human beings and societies are — is being lost sight of. The COVID-19 crisis will not end capitalism. But capitalism must mutate to survive. Companies must rethink the purpose for their existence. It is imperative now that more human and less money values are adopted.

PROVIDE FOOD, RATIONS TO STRANDED WORKERS: SC

The Supreme Court on Monday ordered States across the country to distribute dry rations to stranded migrant workers without ration cards and run community kitchens for them. "Let all States file affidavits indicating the mechanism by which the dry ration should be distributed to those migrant workers who do not possess a ration card," a Bench of Justices Ashok Bhushan and M.R. Shah directed. The court left it to the discretion of individual States to utilise either the Centre's Atma Nirbhar Bharat Scheme, which was implemented for giving dry rations to migrant workers in May and June of 2020, or any other alternative scheme. The Bench held it was the responsibility of the States and Union Territories to run community kitchens for migrant labourers "who have lost their employment and are in need of two meals a day". The Bench directed that "wide publicity" should be given about the various welfare schemes for migrant workers, including locations of community kitchens, so that needy persons would benefit. The court however, refused a plea to direct States to provide direct cash transfers to migrant workers, saying this was a matter of policy concerning individual States or UTs. The order came on submissions made by advocate Prashant Bhushan, appearing for some activists, that the number of community kitchens in Delhi had reduced this year. Cash transfers were restricted to construction workers in the National Capital. He said dry rations were not provided to stranded migrant workers.

SC IRKED BY ABSENCE OF MIGRANT DATABASE

The government's delay in completing a national database to identify and register migrant workers in order to provide them benefits in times of dire need stood out like a sore thumb in a



Supreme Court hearing on Monday. *“We impress upon the Central government and the State Government[s] to complete the process of registration of organised workers at an early date so that unorganised workers are able to reap the benefit of different schemes of the Centre and the States which, without proper registration and identity card, seems to be difficult to implement on the ground,”* a Bench of Justices Ashok Bhushan and M.R. Shah noted in its order. The court acknowledged the submissions made by advocate Prashant Bhushan that such a database would have made it easier for the government to identify and provide essentials such as food and dry rations to stranded migrant labourers during the second wave of the pandemic.

A JOBS CRISIS IN THE SECOND WAVE OF COVID-19

Hit by a relentless second wave of COVID-19 infections, India has seen localised lockdowns across several States. With activity restrained, job losses have climbed. This has dampened family incomes and consumer sentiment, setting the stage for lower-than-anticipated economic growth and belying the nation’s hopes of racing back to activity this year on a low base last year.

How have lockdowns affected jobs?

Among the first effects felt from a region’s lockdown is the loss of jobs. According to the Centre for Monitoring Indian Economy (CMIE), the unemployment rate was 6.5% in March but rose to around 8% in April, the month when several States began to prepare for or had already imposed lockdowns. With 73.5 lakh job losses in April, the number of employees (both salaried and non-salaried) fell from 39.81 crore in March to 39.08 crore in April for the third straight month. In April 2020, which was the first full month of the national lockdown last year, the unemployment rate had zoomed to 23.5%.

What do the data indicate about unemployment in rural and urban areas?

At 7.13%, the rural unemployment rate for April 2021 is lower than the urban figure of 9.8%. The month of May has seen the rates rise further at the national level. As of May 21, the 30-day moving average for overall unemployment was 10.3%, with the relevant figures for urban and rural areas at 12.2% and 9.4%, respectively. The labour participation rate (LPR) for April 2021, at 40%, remained lower than the levels seen before last year’s lockdown. Labour participation helps measure the section of the population that is willing to take on jobs. Unemployment is a subset, which helps in giving a measure of those who are willing to take on jobs but are not employed. Women tend to face a double challenge, with lower labour participation and a higher unemployment rate for females compared with males (for ages above 15). For the January-April 2021 period, urban female LPR was 7.2% compared with the urban male’s 64.8%, while urban female unemployment was 18.4% against the urban male unemployment rate of 6.6%, CMIE data showed.

How has the agriculture sector fared?

Agriculture was the saving grace during the first wave, but it is not so during the second one. April 2020 saw this sector being the only one to add jobs — the count of those employed in the agriculture sector had gone up by 6 million or 5% compared with the average count in FY20, according to CMIE data. In April 2021, agriculture shed 6 million jobs compared to a month earlier. This figure ties in with reports of the hinterland being far more affected by the pandemic this year compared with



last year. Daily wage labourers and small traders saw a loss of employment in the order of 0.2 million in April. *Some of these agricultural and daily wage labourers may have found work in the construction industry as the sector saw an increase of 2.7 million jobs during April.* But, as the CMIE posits, most of the 6.2 million people released from agriculture and daily wages jobs could well have ended up remaining unemployed during the month. This is a clear indication that the jobs scenario is weakening even before recovering from last year's onslaught. *The Mahatma Gandhi National Rural Employment Guarantee Act data showed that April saw an uptick in the demand for jobs — 2.7 crore households signed up for work in April 2021, rising from 1.3 crore a year earlier — as reverse migration of labour picked up, resulting in availability of hands in the rural parts.*

Did the salaried class escape unscathed?

No. *The cumulative loss of salaried jobs since the pandemic began is pegged at 12.6 million, according to CMIE data, and the trend continues with April 2021 seeing this coveted category drop 3.4 million jobs from the level in March 2021.*

Which States have been hit the hardest?

Haryana recorded the highest unemployment rate in April 2021 at 35%, as per CMIE data, followed by Rajasthan at 28%, Delhi at 27.3%, and Goa at 25.7%. Significantly, Gujarat, which, like the above States, also witnessed the ferocity of the pandemic's second wave, saw unemployment at an appreciably lower level of 1.8%.

What are the economic consequences of rising unemployment?

Obviously, job losses have a telling effect on incomes. CMIE's managing director and CEO, Mahesh Vyas, said that *90% of Indian families have seen their incomes shrink over the course of the past 13 months.* Loss of income naturally dampens consumer sentiment and lowers economic demand. The RBI's monthly bulletin published earlier this month acknowledged that the biggest toll of the pandemic's second wave was in terms of "a demand shock — loss of mobility, discretionary spending and employment, besides inventory accumulation". In an article titled 'State of the Economy' in the bulletin, RBI officials pointed out that aggregate demand conditions had been impacted, "albeit not on the scale of the first wave". They highlighted the fact that *e-way bills, an indicator of domestic trade, recorded double-digit contraction at 17.5% month-on-month in April 2021, with intrastate and inter-state e-way bills declining by 16.5% and 19%, respectively. This is an ominous sign for the Goods and Services Tax (GST) collections in the coming months. Collections in April 2021 were the highest-ever at ₹1.41 lakh crore since the new tax regime was introduced.* The authors of the RBI bulletin article said the contraction in e-way bills could point "to a moderation in GST collections in coming months". However, despite the decline over March 2021, total e-way bills remained above the pre-pandemic baseline of February 2020, "indicating that domestic trade has remained resilient on the back of digitisation of sales platforms". *The RBI officials asserted that the second wave has so far had only a limited impact on industrial activity, citing the 8.1% growth in electricity generation in April over the pre-pandemic base of April 2019.*

Would the situation improve if the current lockdowns were to end today?

Food insecurity is a key welfare issue in the months following an economic shock. A report from Azim Premji University's Centre for Sustainable Employment, titled 'State of Working India 2021,



One year of COVID-19, showed that on average, households lost about 22% of their cumulative income over eight months ended October 2020. Also, poorer households lost a larger proportion of their already low incomes. This not only led to increased poverty levels, the researchers said, but also that the ways in which households coped with this shock was by borrowing, largely from informal sources, selling assets, and cutting back on food consumption. This means that *even after a lockdown is lifted and employment begins returning close to the earlier levels, consumer spending, the lifeblood of any economy, may remain muted.* The report cited a couple of surveys — the University's own 'COVID Livelihoods Phone Survey' (CLIPS) and Hunger Watch — to highlight the problem of the low-income population cutting back on food intake. *The Hunger Watch survey showed that 66% of surveyed households had less to eat even five months after last year's lockdown.* The researchers argued that incomes lost during the months when economic activity is more severely affected "leave a long-term impact either as depleted savings or as incurred debt, which must be built back or paid back, by curtailing future consumption and investment". The CLIPS survey showed that the poorest households took the largest loans relative to their earnings.

How are governments addressing these issues?

The Central government has announced that it will distribute 5 kg of rice and wheat for free to ration card holders across the country. Individual States have added to this. Bihar, for example, has announced that it would add an equal measure to the Centre's distribution from the State's resources for free distribution via the Public Distribution System. Tamil Nadu has announced a ₹4,000 handout per ration card and has begun distributing the first tranche of half that amount. Kerala has promised that no family would go hungry in the State. Last September, the Kerala government announced free food kits for 88 lakh families for four months; this May, it decided to continue with the distribution in view of the second wave. Karnataka has announced a ₹1,250-crore relief package, through which farmers, auto, taxi and maxi cab drivers, construction workers and other informal sector workers will receive varying amounts in the form of a one-time dole.

DEATH CERTIFICATES SHOULD REFLECT WHAT HAS HAPPENED: SC

The Supreme Court said death certificates of those who died of COVID-19 often did not reveal that fact. "The death certificates of persons who die from COVID in hospitals show the reason as lung or heart problem or something else... Whatever has happened should be reflected in the death certificate for the families to get any benefits in the future. Death certificates have to show the reason as COVID," Justice M.R. Shah addressed Solicitor General Tushar Mehta, for the Union government, on Monday. *Justice Shah is part of a Bench led by Justice Ashok Bhushan hearing separate pleas to direct the government to grant an ex-gratia compensation of ₹4 lakh each to the families of people who lost their lives to COVID-19. Justice Shah urged the government to frame a uniform policy for issuing death certificates in COVID-19 cases in a transparent manner.* The court asked the government to place the Indian Council of Medical Research guidelines to see if there was anything on the procedure for issuance of death certificates in COVID-19 cases. "People will have to run from pillar to post if any compensation is to be given to the kin of COVID-19 victims. It is not fair to the family if the actual reason for death is COVID and the death certificate shows another reason," Justice Shah said. *The court scheduled the next hearing on June 11, giving the government time to file its response. Advocate Gaurav Kumar Bansal, who is a petitioner, said under*



Section 12 (iii) of the Disaster Management Act, ex-gratia compensation of ₹4 lakh was payable to families of disaster victims. The COVID-19 pandemic is a disaster.

WITH UTMOST CARE

The ravages of the Covid-19 pandemic have been felt on language as much as on health and the economy. A new coinage — Covid orphans — especially, is a painful reminder that beyond the death counts, the weight of loss will be borne by a generation of vulnerable children for many years to come. *According to the ministry of women and child development, 577 children have been orphaned by the second wave of the pandemic in the last two months. That number might well go up. For both state and society, the well-being and protection of these children must be a foremost priority.* The pandemic has dealt a heavy blow to India's children, with the closure of schools and a digital switch to education leaving a majority excluded. In the first wave, the most fragile children were at the risk of falling through the cracks, of being forced into marriage or child labour, as an investigation by this newspaper last year revealed. Therefore, *the ministry of women and child development did the right thing in warning against social media messages that offered to adopt children who have lost their parents to Covid-19, given the risk of child traffickers preying on helpless children. Communities and governments must come together to ring-fence children from any such eventuality.* The government has done well to entrust the task of tracking vulnerable children to child welfare committees. *It is also important, as much as possible, to not uproot traumatised children and place them in institutional care, if kinship care is available.* The Centre had also asked the ministry of health *to ask patients admitted to hospitals to specify in whose custody they would wish to leave their children in case of death. The state must also make provisions for supporting the education of orphaned children, as well as oversight of families that take them in to ensure that they have a hospitable environment to grow and flourish in.* The government can consider *making an exception to ease the adoption of children orphaned by Covid-19, without compromising on checks and balances. The adoption process in India can sometimes run into years. Finally, each child must also be provided mental health support, as unresolved trauma and grief of this scale increase the chances of producing a broken generation.* Both state and society owe these most vulnerable children empathy, kindness and protection. They cannot afford to fail them.

DEFLATING INDIA'S COVID BLACK MARKET BOOM (JAYESH RANJAN IS IN THE INDIAN ADMINISTRATIVE SERVICE AND WORKS FOR THE GOVERNMENT OF TELANGANA. AMULYA ANIL - A LAW STUDENT AT SYMBIOSIS LAW SCHOOL, HYDERABAD)

In the gloomy battle against the novel coronavirus pandemic, what has emerged as most reprehensible is the brazen attempt by profiteers in filling the gap following the desperation of many patients and families. With the second wave of infections and the rise in COVID-19 positive cases in India, the necessity for integral medicines, hospital beds and oxygen supplies has gone up incrementally. For example, we come across information about government helpline numbers being circulated widely. The Twitter handles of politicians and administrative executives often reiterate the dependability of these helplines. These helpline numbers ought to be not just 'ray of hope' delivery systems but also a clear demarcation between what is legal and officially authorised, and what is not.



Flourishing market

Remdesivir and tocilizumab have been the most sought after drugs ever since the pandemic set in. In July 2020 *a racket of selling fake and spurious tocilizumab injections in Surat and Ahmedabad* was unearthed by the Gujarat Food and Drugs Control Administration. Almost a year later, things do not seem to have improved. Recently, the police in Ahmedabad arrested a few people for *preparing fake remdesivir vials for sale using a mixture of glucose and salt and affixing them with fake brand labels*. In Mumbai's drug black market, citizens have had *to pay huge amounts ranging from ₹35,000 and ₹50,000 for remdesivir vials*. In Kanpur, Uttar Pradesh, *a racket to market oxygen cylinders in the black market was uncovered after raids on a godown*. The Haryana police have registered at least 21 FIRs in connection with the blackmarketing of many of these medical essentials. *The desperate need for vital medical supplies has forced many hapless citizens to pay more than the market price to procure these medicines*. There are reports of many having been *tricked into believing fire extinguishers to be oxygen cylinders and saline water bottles to be remdesivir vials after parting with huge sums of money*. However, clamping down on these cases and the culprits is dependent on having an *efficient multi-dimensional preventive model rather than a control mechanism that functions much after the damage has been already done*. India is in the middle of its second year in the battle against the COVID-19 virus and the persistent challenges many citizens face in medical aid is a wake-up call to revisit the administrative mechanism and map its limitations. *In India, the distribution of remdesivir in the States is mostly controlled by the local governments, while decisions about oxygen supplies to the States are predominantly decided by Union bodies*. Yet, citizens have been approaching alien sources to procure medical supplies.

The pressures

A major reason behind why many are in the situation they are facing is because administrative organisations are being overwhelmed and helpline numbers inundated with calls and difficult to connect to. Even if citizens are fortunate enough to have their requests entered in records, they may not be able to procure the products they need due to the inadequacy of resources or probably not receiving a closure communication from helplines, which keeps them at a loose end without knowing where else to go and what else to do. This inaccessibility, a redundant and long communication process flow, and a delay in rendering responses are what have affected the reliability of these helplines as far as people are concerned. *Any market, black or otherwise, is a dynamic hemisphere which is consumer-driven. There is public demand for what the products these black markets or rackets have to offer and which is why they thrive*. A patient and their attendants face challenges of resource availability and significant constraints of time within which they need a solution, resulting in tremendous mental pressures. *Alleged hospital bed-booking scams, the unnecessary hoarding of COVID-19 essentials by the elite, and possible VIP culture practices have contributed to the erosion of trust*. These elements have all combined to force the public to look elsewhere for sources beyond the probability of the government rendering them assistance.

Volunteers as a resource

Therefore, administrative mechanisms need to be expanded qualitatively and quantitatively. *India is blessed with numerous volunteer organisations trying to tackle the various challenges of the pandemic. Unfortunately, in many instances, they do not enjoy governmental support. The state machinery needs to identify such groups, train them, optimise them and deploy them on a priority*



basis and ensure that there is no concentration of human resources in a single vertical. We need to operationalise technological knowledge in order to ease the communication processes which could reduce the burden on data entry operators and the management information systems to induce better responsive behaviour. *We need an expert planning model which not only allocates the resources judiciously but also allows a follow-up of the entire process flow to ensure that there are no illegal deviations. In oversight, we need a strong, decentralised and independent vigilance system which promotes transparency in this desperate situation to ensure quality in the performance of administrative set-ups.* At the end of the day, what has been listed above ought to be matched with confidence-building mechanisms. *It is only when the government's performance is high and the administrative machinery is capable of large-scale affirmative outputs that the public will not have to look for third party resources. And with no dependency subsisting on them, profiteering would not have a dimension and play its game.*

SHROUDS 'REMOVED' FROM SAND BURIALS IN PRAYAGRAJ

In a curious move, the administration in Prayagraj has allegedly removed the saffron and yellow shrouds from bodies buried in the sand on the ghats of the Ganga days after it was reported that the bodies could be of suspected COVID-19 victims. Visuals widely shared on social media showed cleaners deployed by the administration removing the shrouds, many of which traditionally also carry the name of Lord Ram, and the wooden stubs from the mounds of sand at Shringverpur Ghat. A senior official, however, claimed that only shrouds that were scattered on the ghat were being removed while those on mounds of sand where the bodies were buried were not touched.

Asked what was the trigger for the present drive, the SDM said the place looked dirty of late and cited the media attention that the ghats were receiving. "Bahut gandagi log kar diye hain. Media ke log jaa rahe hain na, kharab lag raha hai dekhne mein," he said. Ever since countless bodies were found floating in the Ganga in different parts of Uttar Pradesh, followed by the discovery of shallow graves on sandy ghats in Unnao, Kannauj, Prayagraj and Raebareli among other districts, the State government announced support money for poor people who could not afford to cremate their dead in order to dissuade them from disposing of the bodies in the river. *At many places, the administration has not allowed any new bodies to be buried on the ghats and set up pickets in several districts and patrolling by police on boats.* In Prayagraj too, Mr. Chaturvedi said they had put a stop to the burials. He said they were concerned that the bodies would rise to the surface during the rainy season.

KAMAL NATH'S 'INDIAN VARIANT' REMARK SPREAD FEAR, DEFAMED NATION: FIR

Police in Madhya Pradesh on Sunday registered an FIR against former Chief Minister and Leader of the Opposition in the Assembly Kamal Nath for allegedly spreading panic by referring to Covid-19 as the "Indian variant of Corona". The Crime Branch has booked Nath under IPC section 188 (Disobedience to order duly promulgated by public servant) on the ground that his statements — made at a press conference — spread misinformation and fear among the masses, and was thereby in violation of orders promulgated by the collector under section 144 CrPC. Nath has also been booked under section 54 (Punishment for false warning) of the Disaster Management Act. The former Chief Minister described the FIR as "an act of desperation". The government does not have answers, Nath said, and therefore, "any person who is asking questions is termed as



deshdrohi”. *The FIR was registered on the basis of a complaint filed by BJP Bhopal district president Sumit Pachori, which was also signed by state minister Vishwas Sarang, MLA Rameshwar Sharma, and other state BJP leaders. In his complaint, Pachori said that Nath, while addressing a virtual press meet, had referred to Covid as the Indian variant Corona, which had sullied the image of India and spread fear among the masses.* According to the complaint, Nath had also said that the disease that has now spread across the world has come to be known as “Indian Corona”, and that several Prime Ministers and Presidents around the world were referring to it as the “Indian variant”. The complaint alleged that Nath had said this “with a view to spread misinformation, anarchy and disrupt the peace in the country and defame the nation globally” at a time “when in reality, to battle this pandemic and ensure health facilities to all, under the able leadership of Prime Minister Narendra Modi, doctors, policemen, paramedics and all social organisations are coming together to strengthen the government set-up...” *The complaint also said that Nath had disregarded World Health Organisation guidelines on Covid, and that his action amounted to sedition as per the IPC.* According to the complaint, in his press conference, Nath had alleged that the government was hiding figures of Covid deaths, which was highly objectionable and spread fear. Addressing the press conference, Nath had said, “Ye bahut dukh ki baat hai ki Bharat kis tarah poore vishwa mein badnaam ho raha hai. Ye Cheen ka virus tha, Cheen ka Corona tha, aaj pure vishwa mein sabne naam likh diya hai Indian variant corona. Kai rashtrapati aur pradhan mantri is naam se pukaar rahe hain — Indian Variant. Hamare jo students hain, jo baahar naukri kar rahe the, wo baahar nahi ja pa rahe hain, kyu ki aap Indian hain”

Rajya Sabha MP Vivek Tankha said on Twitter that the FIR was an attempt by the BJP to hide its incompetence. He said that the Centre, in an affidavit before the Supreme Court, had itself referred to the “Indian double mutant strain” of the virus.

IDENTIFYING MUTANTS

In early March, members of the Indian SARS-CoV-2 Genomic Consortia (INSACOG), an advisory group to the Central government, warned of a new and contagious form of the novel coronavirus. *Last week, Shahid Jameel, eminent virologist and head of INSACOG, resigned from his post unexpectedly.* Though he did not cite the reasons for his exit, *Dr. Jameel has been a critic of aspects of the government’s handling of the COVID-19 pandemic, particularly on data sharing,* the emergence of new variants and their role in the second wave of infections.

What is INSACOG?

INSACOG is a consortium of 10 labs across the country tasked with scanning COVID-19 samples from swathes of patients and flagging the presence of variants that were known to have spiked transmission internationally. It has also been tasked with checking whether certain combinations of mutations were becoming more widespread in India. Some of these labs had begun scanning for mutations in April 2020 itself, but it was not a pan-India effort. The institutes involved were those with expertise in genome sequencing and included laboratories of the Department of Biotechnology, the Council of Scientific and Industrial Research (CSIR), the Indian Council of Medical Research (ICMR) and the Ministry of Health & Family Welfare (MoHFW). *The National Centre for Disease Control (NCDC) under the MoHFW was tasked with coordinating collection of samples from the States as well correlating disease with the mutations.* The work began in January



by sequencing samples of people who had a history of travel from the United Kingdom and a proportion of positive samples in the community.

What are the findings?

A May 6 note from the Department of Biotechnology (DBT) said 20,000 samples had been sequenced and about 3,900 variants had been identified. The “foreign” variants identified were primarily the B.1.1.7 (first identified in the United Kingdom) and the B.1.351 (first found in South Africa) and a small number of P2 variants (from Brazil). However, some labs flagged the growing presence of variants identified in India that were clubbed into a family of inter-related variants called B.1.617, also known as the ‘double mutant’ variant, primarily due to two mutations — E484Q and L452R — on the spike protein. These have been individually identified elsewhere but not together. However, there are many more mutations that contribute in different measures, in ways not fully understood, to the virus being able to adapt to human hosts. The B.1.617 family was marked as an international ‘variant of concern’ after it was linked to a recent spike in cases in the United Kingdom. In March, it was linked to a spurt in cases in Maharashtra. But there is no evidence yet to show that the variant is associated with increased disease severity. INSACOG labs also found that the B.1.1.7 variant, which is marked by increased infectivity, is distinctly more prevalent in several northern and central Indian States in comparison to southern States.

Beyond identifying patterns, why is genome sequencing useful?

The purpose of genome sequencing is to understand the role of certain mutations in increasing the virus’s infectivity. Some mutations have also been linked to immune escape, or the virus’s ability to evade antibodies, and this has consequences for vaccines. Labs across the world, including many in India, have been studying if the vaccines developed so far are effective against such mutant strains of the virus. They do this by extracting the virus from COVID-19-positive samples and growing enough of it. Then, blood serum from people who are vaccinated, and thereby have antibodies, is drawn. Using different probes, scientists determine how much of the antibodies thus extracted are required to kill a portion of the cultured virus. In general, the antibodies generated after vaccination — and this was true of Covaxin, Covishield, Pfizer and Moderna jabs — were able to neutralise variants. However, there were fewer antibodies produced against the South African, Brazil and the ‘double mutant’ variant. Antibody levels are not the only markers of protection and there is a parallel network of cellular immunity that plays a critical role in how vaccines activate immunity. The current evidence for most COVID-19 vaccines is that they have almost 75% to 90% efficacy in protecting against disease but less so in preventing re-infection and transmission.

What are the challenges being faced by INSACOG?

Given that the novel coronavirus is spreading, mutating and showing geographical variations, *the aim of the group was to sequence at least 5% of the samples. For many reasons, this has so far been only around 1%, primarily due to a shortage of funds and insufficient reagents and tools necessary to scale up the process.* While some of these issues can be explained as teething troubles, the INSACOG, in spite of being peopled by expert scientists, is ultimately an advisory group to the Central government and part of its communication structure. *Warnings about emerging variants were not made public with sufficient urgency and the sharing of datasets, even within constituent groups of the INSACOG, was less than ideal.*



VACCINATING A POPULATION OF 940 MILLION

Many States have announced their intention to import COVID-19 vaccines through a global bidding process, and several tenders inviting Expression of Interest have been issued, including by *Uttar Pradesh, Tamil Nadu, Odisha, Karnataka, Andhra Pradesh and Uttarakhand, and also by the Brihanmumbai Municipal Corporation for Mumbai.*

Is the onus on States to procure vaccines?

The Centre is currently pursuing a 'Liberalised Pricing and Accelerated National Covid-19 Vaccination Strategy', under which it has left vaccination of people in the 18-44 years age group to the States from May 1. State governments have to call for vaccine bids in an open market in the case of international imports and buy a limited domestic supply at prices fixed by the manufacturer. Vaccine makers in the country are required to provide 50% of their production to the Centre to meet the needs of the 45-plus priority age group, besides 25% to the States, and leave the rest open for purchase by the private sector. The strategy was submitted in the Supreme Court by the Centre in the suo motu case as a step taken in an effort to incentivise and grow vaccine manufacturing. Earlier, the Drugs Controller General of India issued guidance on April 15 stipulating the conditions for the import of vaccines for restricted use in emergency situations.

What is the state of vaccine availability?

For the 18-plus age group, India has a population of about 940 million, and Census-based projections put the 18-44 age group at over 591 million. This makes up *a total requirement of about 1.9 billion (or 190 crore) vaccine doses, at two doses each.* Union Health Minister Harsh Vardhan said on May 12 that India's domestic vaccine production in May is likely to be 8 crore doses and about 9 crore doses in June. Considering that over 18 crore doses have been administered as of May 15, of which around 14 crore are only the first dose, there is a requirement of 172 crore doses more to cover the target population. NITI Aayog member V.K. Paul has said that overall, 216 crore doses of vaccines could be available in India between August and December 2021. But this optimistic estimate includes 130 crore doses of Covishield (75 crore) and Covaxin (55 crore), and 15.6 crore doses of Sputnik V, while the rest — Bio E sub-unit, Zydus Cadila DNA, SII-Novavax, BB Nasal and Gennova mRNA — represent vaccine candidates in trials. In addition, Dr. Paul said Indian authorities were actively encouraging Moderna, Pfizer and Johnson & Johnson to apply for emergency use authorisation (EUA) for their vaccines. *Pfizer had applied for EUA in India but withdrew it in February this year as the regulatory authority sought additional information on its vaccine.* For those not eligible for free immunisation and others who go to a private provider, prices range from ₹600 to ₹1,200 a dose for the two available vaccines, besides any hospital charges. Dr. Reddy's Laboratories has announced a price of ₹995.40 per dose for the new entrant, the imported Sputnik V vaccine. *The rule for private hospitals receiving vaccines from the government, which capped the price at ₹250 a dose, has been discontinued.*

Why do States need to import?

While the States will continue to get vaccines under the Central quota for those above 45 years, they must prepare for beneficiaries in the 18-44 years age group using their own resources; private hospitals will sell to the better-off sections, mainly in urban areas, using imports. States are allowed



to order only an approved number of domestically manufactured doses for the 18-44 years group, on a pro-rata basis fixed by the Central government based on a population estimate. Imports, therefore, come into play to meet the demand early. Pressure for vaccines continues to mount on governments amid the wildfire spread of the infection, with the country seeing around 400,000 cases and almost 4,000 deaths a day. This has led to several decisions that the Centre claims will improve availability. These include direct import of vaccines by States and private entities for immediate use, promoting wider domestic manufacture of Covaxin, and, if intellectual property restrictions are relaxed, domestic manufacture of foreign vaccines, which experts say will take time. *At the same time, there is a demand for a free, central vaccine procurement programme to cover every citizen. Leaders from 12 political parties, including four Chief Ministers, asked the Centre to procure vaccines, domestic and international, for universal immunisation.* West Bengal Chief Minister Mamata Banerjee had recently appealed to the Prime Minister for speedy import of approved vaccines and help to set up franchised production units in India, for which her State would provide land and all support.

How do vaccine imports work?

In the Centre's scheme, an "incentivised" market will increase the number of manufacturers, and thus, the availability of vaccines, although the counter view is that the decentralised, unregulated procurement system will push up costs due to weak bargaining power, and with global shortages, only pave the way for profiteering. Imports have to meet the norms stipulated by the Centre. As per the Central Drugs Standard Control Organisation (CDSCO) guidance of April 15, which is based on the recommendations of the National Expert Group on Vaccine Administration for COVID-19 (NEGVAC), foreign-produced vaccines granted emergency approval for restricted use by specified regulators such as the United States's Food and Drug Administration (FDA), the European Medicines Agency (EMA) in Europe, United Kingdom's Medicines and Healthcare products Regulatory Agency (MHRA), Pharmaceuticals and Medical Devices Agency (PMDA) in Japan, or which are listed in the World Health Organization's (WHO) Emergency Use Listing, may be granted emergency approval in India. After approval, these vaccines must be subjected to a bridging clinical trial in place of a local clinical trial, as per the New Drugs and Clinical Trials Rules, 2019. Also, the first 100 beneficiaries must be assessed for safety outcomes for seven days, before a vaccine is rolled out as part of the vaccination programme. *To speed up the availability of more vaccines, the CDSCO will process applications for restricted use in three days and registration and import formalities will be completed in three days thereafter. Every batch of a vaccine would have to be tested and released at the Central Drugs Laboratory (CDL), Kasauli, says the order.*

Given the complexities, States feel it is the Centre that should negotiate prices, set terms and get vaccines delivered to them from international and domestic companies, to meet the challenge of universal coverage and get the country back on its feet.

VACCINATION IS OUR ONLY WEAPON (JOSEPH BRITTO - FORMER CONSULTANT AND HONORARY SENIOR LECTURER IN PAEDIATRIC INTENSIVE CARE AT IMPERIAL COLLEGE AT ST. MARY'S HOSPITAL, LONDON)

On May 14, 2021, the Indian government announced that over two billion doses of vaccines against SARS-CoV-2 will be produced in India from August to December. The government can be



applauded on its intent: vaccinating a billion Indians with two doses each should in theory give India herd immunity. But while the number 2.1 billion doses makes sense, little else does. *Vaccines don't save lives; rapid, mass, repeated vaccinations do.*

Vaccinate on a war footing

In the 2019 general election, in just five weeks, about 610 million Indians voted at one million polling stations that were supervised by 10 million election officials. If the nation can be mobilised every five years for the general election, there is no reason why India cannot vaccinate one billion Indians in five weeks. On a war footing, India needs to vaccinate 75% of the population in five weeks, not five months. Up to May 23, only 10.9% of the population had received one dose and only 4% had been fully vaccinated with two doses. On average 1.5 million Indians have been vaccinated every day since the vaccination programme started on January 16. If in the 150 days between August and December this year, about 2.1 billion doses are produced, India requires not just the production but the administration of at least 14.4 million vaccines per day. But it lacks the infrastructure to administer the produced vaccines at 10 times the current rate. It will fail in this critical task unless it mobilises the armed forces for logistics. Every health worker not working in a hospital and every medical, paramedical, and nursing student will have to be on vaccine administration duty. *Unless every Indian is protected either by vaccination or herd immunity, India will remain unprotected. Spreading viruses mutate. The only way a host can break the cycle of replication and mutation is if the host's immune system neutralises the virus.* Immunity is acquired in only two ways – either by natural infection or vaccine-derived immunity. *The problem with the current rate of vaccination is that in the large population groups which remain unvaccinated or under-vaccinated, the virus is spreading, replicating, and mutating. Unless it resorts to mass, rapid vaccinations, India will be condemned to new variant pandemic cycles that will keep surging and receding with cyclical and devastating consequences on lives and livelihoods.* Like influenza, SARS-CoV-2 is here to stay. There is a high possibility of another wave of infections, with another strain if not this. Many more will get infected. The aim is to downregulate the virus with rapid, mass and repeated vaccinations from an epidemic to an endemic infection that has seasonal outbreaks with lower number of cases, morbidity and mortality, allowing us to safely open up and keep the economy open. Sadly, *many decision-makers forget that vaccinating the nation is not a one-off; we will have to repeat this herculean exercise every season with updated and re-engineered booster vaccines to prevent the next pandemic cycle which will be driven by new and emerging variants.* All vaccines are not equally effective – high efficacy equals high economic benefit. The primary driver of the choice of a vaccine manufacturer is not just the ability to produce large quantities in the time frame required; it is the efficacy of the vaccine following peer reviews, publications and rollout. Equally important is the ability of the manufacturer to quickly re-engineer and produce updated vaccines against the prevalent strains and future 'variants of concern'. *Both the Russian Sputnik V and the Chinese Sinopharm vaccines were rolled out widely and ahead of sufficient phase 3 trial data. Mostly low- and middle-income countries have given emergency use licence to both these vaccines and millions have been vaccinated with them. Both vaccines remain under review by the European Medicines Agency.* On May 7, the World Health Organization listed Sinopharm for emergency use and is expected to do the same for Sputnik V shortly. However, absence of transparency in clinical trial protocols and of the data and its analysis have cast doubts on approval of these vaccines in developed countries with access to other vaccines.



Surge in the Seychelles

Policymakers and vaccine manufacturers would be wise to pay close attention to what is happening in the Seychelles with respect to the efficacy of vaccines. Despite being the most vaccinated nation in the world, with more than 60% of its population fully vaccinated, the Seychelles is battling a surge of the virus and has had to reimpose a lockdown. In the fully vaccinated population in the Seychelles, 57% were given Sinopharm (donated by the United Arab Emirates), while 43% were given AstraZeneca (produced by the Serum Institute of India). On a per capita basis of reported cases, the Seychelles outbreak is worse than India's. All vaccines do not necessarily demonstrate the efficacy that the manufacturers tout. Manufacturers must be held to account not just on their production targets but on efficacy data. Transparency in clinical trials including post-vaccine rollout analysis is mandatory. Until all Indians are protected, none of us is protected. The government's announcement that 2.1 billion doses will be provided in five months, without any mention of a central vaccine agency managed by experts to govern the purchase, procurement and production centrally for all States, will create and promote vaccination asymmetry. It will exacerbate the pre-existing healthcare iniquity and inequity in India. To the rich-poor, rural-urban, digital divides we now appear to be adding a new vaccination divide. India has to learn from its colossal mistakes. It must set aside its hubris and exceptionalism. It must on a war footing coalesce behind the only weapon that works — vaccination. The pandemic cycles have left in their wake incalculable but preventable loss of life, human suffering, financial ruin and economic decrepitude. If we fail, generations of Indians to come will ask why we did not come together and do the right thing.

ADDRESSING VACCINE HESITANCY

The results of a 2020 Gallup poll, conducted before the vaccine roll-out, were published on May 3, 2021. In the poll, one in three adults worldwide (32%) said they would not take the COVID-19 vaccine. India performed better in this poll with only 18% stating that they won't take the vaccine. But vaccine hesitancy has gone up in India since then, due in part to largely overblown reports of complications or even deaths. Vaccine hesitancy is complex and context-specific, varying across time, place and vaccines. The influencing factors include a lack of awareness of the extent of benefits, fears based on inaccurate information, lack of access to vaccine, civil liberty concepts, cost, cultural issues, and various layers of confidence deficit (mistrust of intent, lack of confidence in the system) sown by conspiracy theories and disinformation. Disinformation is rife, especially on social media. Among those who are extremely hesitant are the 'anti-vaxxers'. The rest comprise those who delay getting vaccinated, accept vaccines in principle but are sceptical of their use, accept certain vaccines but not others, etc. 'Free riders' are those who do not want vaccines, but wish to derive the benefits of herd immunity. The consequences of vaccine hesitancy are disastrous. If herd immunity does not develop, disease outbreaks and pandemics will prevail. The slower the vaccination rate, the wider the spread of infection and the greater the chances of mutations and the emergence of new variants.

The right message

To allay vaccine fears, our messaging needs to focus on simple facts. Vaccines have been widely tested. The side-effects that may last a couple of days are a very small price to pay to vastly reduce getting seriously ill from disease. The less than one-in-a-million chance of getting serious side effects far outweighs the effect the disease is likely to have. Addressing the strategies to blunt

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disinformation, especially on social media, Lisa Rosenblum says in an article in the New England Journal of Medicine that *quashing rumours and conspiracies with truth and reliable information alone may not suffice. Before attempting to persuade people, we need to understand the basis of their fear, hesitancy and the anti-vax attitude. By challenging untruths, we inadvertently feed the perception that we are actively suppressing the “real” truth.* She concludes that often, the most educated sceptics will be against explanations of scientific facts. While not different from prior vaccine drives, the objective now is to reach more people faster with a message that doesn't just provide more science but includes guidance. Providing practical information through social media, alternatives to apps for those lacking easy access to vaccines, and taking the help of well-informed frontline workers will all help.

COWIN TIGHTENS RULES FOR SLOT INFO SHARING WITH THIRD PARTIES

The National Health Authority (NHA) has introduced restrictions to access of CoWin portal's vaccination slot availability information by third parties. While this move has come amid reports suggesting the misuse of the portal's open APIs by some coders and software programmers to set alerts and book slots, the NHA said it was done to “ensure scalability” of the platform and to prevent cyberattacks. Now, *for third-party entities sourcing slot availability information from CoWin's database, such data will be made available with a delay of up to 30 minutes.* Additionally, *the CoWin portal has been geo-fenced to limit access to the site from an Indian IP address. This has caused problems to non-residents trying to book a vaccination appointment for someone in India.* Prior to opening up the portal for booking of vaccine slots for the 18-44 age group, CoWin's APIs were made open to the public to allow anyone to build a third-party portal where citizens could search for, and book vaccination slots. In response to a query by The Indian Express, RS Sharma, NHA Chairman said: “The primary reason to implement caching (delayed availability of data) is to ensure scalability of the application to serve billions of people”. “Another reason to implement caching because of security reasons. Exposing production databases on public pages can be a security risk because *someone may just write script to load this page million times during a day and overwhelm the application...* This is absolutely necessary for population scale application such as CoWin,” he added. An open API refers to a publicly available ‘application programming interface’ (API) that provides developers access to a proprietary software application. For instance, you have a Google Maps API that integrates with food delivery or travel portal, or the UPI API used by a range of apps to enable easy payments. In this case, the NHA has allowed anyone to access a set of requirements needed to communicate and interact with the CoWin platform. “CoWin Public APIs to find appointment availability and to download vaccination certificates. These APIs are available for use by all third party applications. The appointment availability data is cached and may be upto 30 minutes old. Further, *these APIs are subject to a rate limit of 100 API calls per 5 minutes per IP. Please consider these points while using the APIs in your application,*” the Centre's API Setu Portal reads on the CoWin API page. The move has come after several reports of coders and software programmers trying to exploit the open API feature of CoWin portal to access available slots. *Live availability of the said information would allow programmers to set alerts for whenever a slot opened and skewed the system against those without knowledge of or access to such programs.* The geo-fencing to disallow someone from outside India accessing the CoWin portal has also inconvenienced some. *The inability for international IP addresses to access the CoWin portal has also troubled some corporates, which use VPNs on their network.* Because CoWin restricts foreign IP addresses, some corporates trying to book a vaccination slot for their employees have

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been unable to do so. Responding to a query on the geo-fencing, Sharma said: *“CoWin application is designed for vaccination and related activities of Indian citizens. Hence, it is obvious that the user base of this application is in India. It is a good industry practice to restrict the access of the application to certain geography. It achieves two things for Co-Win. First, it reduces unnecessary traffic to the application which is utmost important for CoWin, which is expected to be accessed by over a billion people. Second, restricting access also reduces potential risks of Distributed Denial Of Service (DDOS) attacks from bad actors across the globe.”*

ON-SITE BOOKING ALLOWED FOR 18+

On-site registration and appointment for COVID-19 vaccination is now being enabled for the 18-44 age group on CoWIN, a statement issued by the Union Health Ministry on Monday said. However, this feature was being enabled only for government COVID vaccination centres (CVCs) now and would not be available for private CVCs. They should publish their vaccination schedules exclusively with slots for online appointments, it stated. In case of sessions exclusively organised with online slots, towards the end of the day, some doses may still be left underutilised in case the online appointee beneficiaries did not turn up on the day of vaccination due to any reason, it noted. “In such cases, on-site registration of a few beneficiaries may be necessary to minimize the vaccine wastage. Also even though CoWIN provides for features such as registration of up to four beneficiaries with a mobile number, facilitated registration and appointments through applications, such as Arogya Setu and Umang, people requiring facilitated cohort’s facility and those without access to Internet or smart phones or mobile phones may still have limited access for vaccination,” the Ministry said.

This feature would be used only upon the decision of the respective State/Union Territory governments to do so.

VACCINATING CHILDREN AND PREGNANT, LACTATING WOMEN

Over four months after the COVID-19 vaccination drive was launched, India has administered around 19 crore doses of Covishield and Covaxin so far. But it is yet to open up vaccination for pregnant women and children. On May 19, *the Union Ministry of Health and Family Welfare accepted fresh recommendations from the National Expert Group on Vaccine Administration for COVID-19 (NEGVAC) for vaccinating lactating mothers.* The country is yet to study the safety and efficacy of the two existing vaccines in the paediatric population, with the Drugs Controller General of India recently giving the nod to Bharat Biotech to conduct clinical trials of Covaxin in the 2-18 years age group.

Why should pregnant and lactating women be vaccinated against COVID-19?

“Vaccinating pregnant women against COVID-19 is extremely important. The second wave is worse than the first wave. The impact is more in terms of the overall numbers,” said Dr. Jaishree Gajaraj, senior consultant, Obstetrics and Gynaecology, MGM Healthcare, Chennai, adding that based on observations by obstetricians in Chennai, *roughly one in three pregnant women tested positive for COVID-19.* “This is a high number, and it is important to do something to protect them as the disease burden in pregnancy is high,” she said. *The Federation of Obstetric and Gynaecological Societies of India (FOGSI), in a statement last month, said protection should be*

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extended to pregnant and lactating women. “The very real benefits of vaccinating pregnant and lactating women seem to far outweigh any theoretical and remote risks of vaccination,” it said. Pregnant women are a vulnerable population, said Dr. Gajaraj, adding, “There is some kind of immunological compromise in pregnant women. The disease could be severe, as we have noticed in the second wave.” *For lactating women, FOGSI stated that there were no known adverse effects on neonates who are breastfeeding.* “In fact, there is a passage of protective antibodies to the child, which may be a beneficial effect.”

Do we have data to assess the risks or benefits?

According to the World Health Organization, while pregnancy brings a higher risk of severe COVID-19, at present, very little data is available to assess vaccine safety in pregnancy. There is no evidence that suggests vaccination would cause harm during pregnancy. “To date, none of the clinical trials have included pregnant and lactating women for obvious reasons as no ethics board will give the nod. *Preliminary information from the United States, which has been vaccinating since last year, is that the immune response has been good in pregnant women, irrespective of the type of vaccines. Antibodies were found in the umbilical cord and breastmilk that could give protection for the newborn,*” said Dr. Gajaraj.

Can children be vaccinated?

Across the globe, several studies have begun to examine the safety and efficacy of COVID-19 vaccines in children. The United States has started vaccination for children above 12 years of age. Dr. Rema Chandramohan, professor of paediatrics, Institute of Child Health and Hospital for Children, Chennai, said, “The paediatric population is less affected during this pandemic. Since adults are either infected or vaccinated, children will become vulnerable in the next wave. Initially, *it was thought that children will not be affected due to the absence of ACE2 receptor in the lungs but we do see several children with the infection, who are mostly asymptomatic, and some with typical symptoms of COVID-19.* There are two ways that COVID-19 presents in children — as viral fever and as a multisystem inflammatory syndrome. Vaccinating children against COVID-19, therefore, becomes necessary.”

“We cannot extrapolate studies done in adolescents and adults as every aspect is different in children — the dose, weight of the child, muscle mass matters. We need to look at the minimal dose required which will give maximum benefit/response in addition to having minimal side effects and maximum safety profile in children to call it an effective vaccine.”

What lies ahead?

Vaccination of pregnant women is something that needs immediate attention. There are a lot of debates on the safety of vaccines in pregnancy. “Being a killed vaccine, there is no real expectation of adverse effects with Covaxin. There have been some reports of coagulation and blood clotting problems with Covishield, especially in the younger population less than 30 years of age. The rare occurrence of these adverse effects should not be a deterrent to offer the much-needed protection ... Concerns regarding the severity of COVID-19 infection in pregnancy far outweigh the remote possibility of side-effects,” said Dr. Gajaraj. Noting that there was only a theoretical risk of adverse events, she said informed consent could be obtained from women before vaccination. *“Usually, vaccines are avoided in the first 12 to 13 weeks of pregnancy due to organogenesis. Vaccines,*



including the flu shot, are generally given after 26 weeks to protect the neonates, too. But this is a pandemic, and we could give the vaccination at any time during the pregnancy to protect the mother. “Once we have a vaccine for children, we should look at how it can be included in the vaccination schedule without interfering with the regular schedule. Coronavirus is highly mutated, and so, like influenza, children may need regular booster doses,” Dr. Chandramohan noted.

INDIA TO PUSH FOR WHO, EU APPROVAL FOR COVAXIN

Faced with concern that Indians receiving the Covaxin vaccine may not get relaxation in travel restrictions, the government has decided to help ensure that Hyderabad-based Bharat Biotech receives clearances from both the World Health Organisation (WHO) and subsequently, the EU's European Medicines Agency (EMA). According to sources, the Ministry of External Affairs (MEA) has been tasked with studying the matter, given both the need for recognition for the Indian-made vaccine, as well as the desire to push for more export orders in the future, and a team led by Foreign Secretary Harsh Shringla and officials from the Health Ministry are expected to meet with Bharat Biotech representatives on Monday. *“There is certainly an interest in getting Covaxin on WHO's Emergency Use List (EUL),”* said an official familiar with the matter, adding that the European regulatory procedures are likely to take longer but are also being pursued. *The decision comes as 27 EU member countries on Thursday approved a proposal to allow “fully vaccinated” tourists from countries outside Europe under certain criteria. While the travellers getting AstraZeneca's Covishield would be included on the WHO and EU's listings, if travel from India is accepted, those who have taken Covaxin would not.* Prime Minister Narendra Modi and members of the Cabinet are amongst those who have taken Covaxin. In addition, explained officials, *getting Covaxin on the WHO's EUL would be a big boost, and a first for an Indian-developed and produced vaccine.* Officials stressed that the EUL processes are “technical” in nature, and the MEA and the government were only interested in facilitating any enquiries on the Covaxin application already made with the World Health Organisation. Sources also pointed out that the *WHO's processes don't allow for “diplomatic” or “political” inputs, and are based entirely on the vaccine manufacturer's ability to provide the documentation required by the international agency and to validate its claims.* Bharat Biotech did not respond to The Hindu's query on the planned meeting. *According to the WHO's latest status report, published on May 18, Covaxin is one of 19 vaccines for which applications have been submitted. Seven other applicants including vaccines made by Pfizer, Moderna, Johnson & Johnson's Janssen' vaccine, Chinese Sinopharm, and three versions of the Astra Zeneca vaccine, including Indian-made Covishield from the Serum Institute of India, have all received the green-light for the Emergency Use Listing.*

NEGATIVE REPORT ISN'T THE END OF PROBLEM

A negative COVID report isn't the end of the problems associated with the virus, warn doctors. They now say since it affects multiple organs, *those who were on mechanical ventilation, ICU or form into any high-risk category of lung fibrosis are the group of people who need to watch out for the need to have a re-admission. People with diabetes or obesity, prolonged illnesses are also much likely to go back to hospitals with symptoms such as breathlessness and decrease in oxygen even after getting negative and discharged from hospital.* Archana Dhawan Bajaj, gynaecologist obstetrician and IVF expert, Nurture IVF, said: “The thrombosis and protein loss due to the virus can lead to

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



delayed recovery. *COVID re-infection is rare and people facing re-infection are mainly those with comorbidities, healthcare workers and frontline workers.* Hence, this is something to be watched out in people of these subgroups.” On the signs to watch out for even after turning negative, Vikas Maurya, director and HOD, Pulmonology, Fortis Hospital, Delhi, said COVID is such a disease that causes inflammation in our lungs, kidney, heart and eventually all organs affect our blood vessels. “Therefore, *post COVID, people still face extreme weakness in their body and it takes time to fully get over. But those who have mild symptoms can recover a bit faster than those who experience moderate to severe symptoms,*” he said.

Healthy diet

Hari Kishan Boorugu, consultant physician, Yashoda Hospitals, Somajiguda, Hyderabad, said people need to maintain adequate hydration and follow a healthy diet after recovery. Also consider vaccination when eligible. Dr. Boorugu said recovered patients need to consult a doctor in case they develop fever, severe cough, chest pain or breathlessness, severe headache and facial pain.

SHORTAGE OF BLACK FUNGUS DRUG

As cases of mucormycosis fungal infection are rising around the country — over 9,000 have been reported so far — there is a shortage of liposomal Amphotericin B, the primary drug used to treat the condition. Several instances of hoarding and black-marketing have been reported, and the Delhi High Court has asked the central government to explain the reasons for the shortage.

Burden of disease

Mucormycosis is considered a rare fungal infection. However, a 2019 paper in the Journal of Fungi estimated its incidence in India at 140 per million, by far the highest, along with Pakistan, among the countries for which estimates were made. On May 15, Dr Randeep Guleria, director of AIIMS and member of India’s Covid-19 Task Force, said several parts of the country were reporting a surge in a supplementary fungal infection known as Covid-Associated Mucormycosis (CAM), which he linked to the “irrational use of steroids” in Covid treatment. Five days later, *the Health Ministry made the infection — popularly known as ‘black fungus’ — notifiable, making it mandatory for states to report suspected and confirmed cases.* On May 22, Union Minister for Chemicals and Fertilizers Sadananda Gowda said India had 8,848 cases of mucormycosis. *Almost half the cases were in Gujarat (2,281) and Maharashtra (2,000), which by Tuesday had added another 245 cases.*

Treatment for fungus

Doctors say treatment has to be quick and aggressive, and early detection helps. Treatment is with anti-fungals and, in some cases, surgery to scrape off the fungus. The most commonly used anti-fungal is *liposomal Amphotericin B* injection. If that is not available, the next choice is *Amphotericin B deoxycholate (plain)* injection, and a third option is *isavuconazole*, manufactured by Pfizer in tablet and injectable form. A fourth option is available in *posaconazole*, a generic medication that comes as tablet and injection. “We start with liposomal Amphotericin injection, and switch to other drugs if that is not available. *Amphotericin B deoxycholate is also effective, but it can cause*



kidney damage. We only use it in young patients with no kidney problems,” Dr Tanu Singhal, infectious diseases expert at Mumbai’s Kokilaben Dhirubhai Ambani Hospital, said.

Shortage of Amphotericin

Treatment with Amphotericin can last 4-6 weeks, require 90-120 injections of the drug, and cost Rs 5 lakh-8 lakh, or even more. But it is the shortage of the drug that has emerged as the main impediment. Assuming an average requirement of 100 vials per patient, a simple ballpark calculation would suggest India requires 9-10 lakh injections of Amphotericin for the 9,000-odd people currently infected. And numbers are expected to rise significantly. Amphotericin is manufactured by Bharat Serums & Vaccines, BDR Pharmaceuticals, Sun Pharma, Cipla, and Life Care Innovations. Mylan imports the drug and supplies in India. *Production volumes have always been limited because the number of cases has been small. Following “handholding” by the government, all manufacturers were together estimated to produce 1.63 lakh vials of Amphotericin B in May, the Centre said in a release on May 21. Another 3.63 lakh vials were in the process of being imported, it said.* Data released by the Centre show that only 67,930 injections of Amphotericin B have been allotted to the states for the period May 10-31, much less than their requirement. “We need 3 lakh injections per month, but we have got only 21,590 injections from the Centre,” a senior Maharashtra Food and Drug Administration (FDA) official said. The Centre has said domestic production will be scaled up to 2.55 lakh vials in June, and another 3.15 lakh vials will be imported, taking total supplies to 5.70 lakh vials. Five new manufacturers were licensed to produce the drug last week — Natco Pharmaceuticals (Hyderabad), Emcure Pharmaceuticals (Pune), and Alembic Pharmaceuticals, Gufic Biosciences, and Lyka Pharmaceuticals (Gujarat). But they can start production only by July, and together provide only 1.11 lakh vials, so the country is likely to remain dependent upon imports.

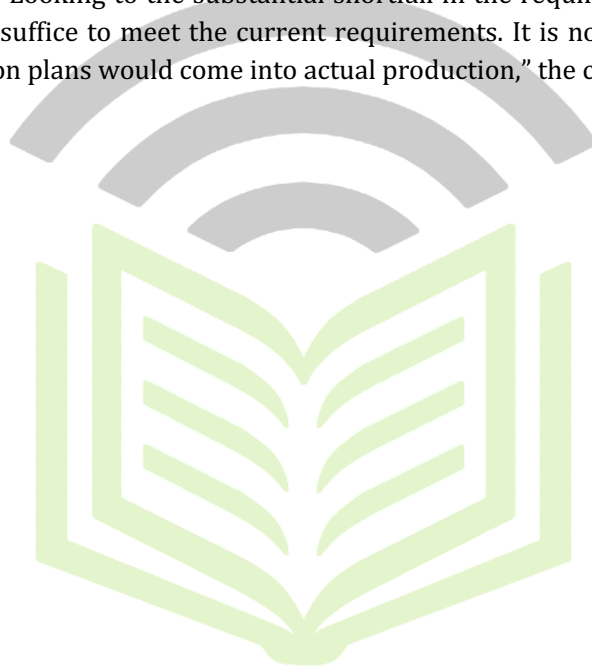
Supply bottlenecks

A shortage of two raw materials has hit the production cycle. The first is the active pharmaceutical ingredient (API) Amphoterecin B, the major supplier of which is Sarabhai Group-owned Synbiotics Limited. “Sarabhai can supply 25 kg per month, with that we can manufacture 1.5 lakh-2 lakh injections”. Dr D J Zavar, MD of Kamla Lifesciences, which produces Amphoterecin B on contract for other manufacturers, said *the API is the basic ingredient. “It is required for both the liposomal form and plain form,”* he said. Shah said *domestic manufacturers are buying this API from North China Pharmaceutical Group (NCPC)* . “They assured us 40-50 kg by June-end,” he said. *Manufacturers have written to the Drug Controller General of India to provide emergency provisional approval to Zhejiang Pharma to supply Amphoterecin API. The second raw material in short supply is purified synthetic lipids to produce liposomal Amphoterecin B. Lipids are in high demand globally for the manufacture of mRNA vaccines.* Orders placed with Switzerland-based Lipoid in December are being shipped now, manufacturers said. “We have reached out to them. The situation should ease in the next 4-6 weeks for all manufacturers,” Shah said. *In India, the only lipid supplier is Mumbai-based VAV Life Sciences.* Its monthly capacity is 21 kg, which the company plans to increase to 65 kg by August, MD Arun Kedia said. Even when raw materials are available, production of the drug takes around 21 days, besides the time taken for the sterility test.



High Court scanner

A Division Bench of the Delhi High Court headed by Justice Vipin Sanghi, which has been monitoring the Covid-19 situation in Delhi, took note of the shortage of the anti-fungal drug on May 19, after the issue was mentioned verbally by a lawyer. On May 20, the court stressed the need for immediate imports, since domestic production was “far less” than the requirement across India. *On Monday, the court said the Centre’s projected production and imports may well fall short of the needs of patients, and “drastic measures” were required to bridge the gap.* The court will take up the issue again on Thursday. It has asked the Centre to report the latest status on the availability and production of the drug. It has also sought a projection of black fungus cases over the next two weeks. “Looking to the substantial shortfall in the requirement, we are afraid that these steps may not suffice to meet the current requirements. It is not clear as to by when the augmented production plans would come into actual production,” the court said last week.



DreamIAS



BUSINESS & ECONOMICS

RECALIBRATE GROWTH, REPRIORITISE EXPENDITURES (C. RANGARAJAN - FORMER CHAIRMAN, ECONOMIC ADVISORY COUNCIL TO THE PRIME MINISTER AND A FORMER GOVERNOR, RESERVE BANK OF INDIA. D.K. SRIVASTAVA - CHIEF POLICY ADVISOR, EY INDIA AND A FORMER DIRECTOR, MADRAS SCHOOL OF ECONOMICS)

The second wave of COVID-19 currently sweeping India is forcing States into successive lockdowns, in turn eroding economic activities. The growth projections of different national and international agencies and the fiscal projections of Centre's 2021-22 Budget require recalibration.

COVID-19-induced erosion

The International Monetary Fund (IMF), the Reserve Bank of India (RBI), and the Ministry of Finance's Economic Survey had forecast real GDP growth for 2021-22 at 12.5%, 10.5%, and 11.0%, respectively. Moody's has recently projected India's GDP growth in 2021-22 at 9.3% (<https://bit.ly/3flkWs8>). This is close to the benchmark growth rate of 8.7% which would keep India's GDP at 2011-12 prices at the same level as in 2019-20. This level of growth may be achieved based on the assumption that the economy normalises in the second half of the fiscal year. If the lockdowns come to an end earlier, the growth rate may be higher, but that is perhaps unlikely. The 2019-20 real GDP was ₹145.7-lakh crore at 2011-12 prices. It fell to ₹134.1-lakh crore in 2020-21, implying a contraction of minus 8.0%. If even the growth rate of 8.7% for 2021-22 comes under challenge because of a prolonged lockdown, not only will India see a fall in the real GDP in the current year as compared to 2019-20 level but the nominal GDP numbers assumed in the Budget will also be belied adversely affecting the fiscal aggregates in the Centre's 2021-22 Budget. At 8.7% real growth, the nominal GDP growth would be close to 13.5%, assuming an inflation rate of 4.5%. This would be lower than the nominal growth of 14.4% assumed in the Union Budget. At 13.5% growth, the estimated GDP for 2021-22 is ₹222.4-lakh crore at current prices. This will lead to a lowering of tax and non-tax revenues and an increase in the fiscal deficit as compared to the budgeted magnitudes.

Budget magnitudes

The budgeted gross and net tax revenues for 2021-22 were ₹22.2-lakh crore and ₹15.4-lakh crore, respectively. The assumed buoyancy for the Centre's gross tax revenues (GTR) was 1.2. Even if this buoyancy is achieved, the lower nominal GDP growth would imply a GTR growth of 15.7% as compared to the budgeted growth of 16.7%. If, however, the buoyancy of 1.2 proves optimistic and instead a buoyancy of 0.9, which is the average buoyancy of the five years preceding the COVID-19 year, is applied, the nominal growth of GTR would be 12.2%. This would lead to the Centre's GTR of about ₹21.3-lakh crore. The corresponding shortfall in the Centre's net tax revenues is estimated to be about ₹0.6 lakh crore. The budgeted magnitudes for non-tax revenues and non-debt capital receipts at ₹2.4-lakh crore and ₹1.9-lakh crore, respectively, may also prove to be optimistic. In these cases, the budgeted growth rates were 15.4% and 304.3%, respectively. The excessively high growth for the non-debt capital receipts was premised on implementing an ambitious asset monetisation and disinvestment programme. The COVID-19-disturbed year may not permit any of this. The budgeted growth in non-tax revenues is largely dependent on an assumed growth of 60% in revenues



from communication services and of 44.1% in dividends and profits from non-departmental undertakings. We consider that a shortfall of ₹1.5-lakh crore in non-tax revenues and non-debt capital receipts together may not be ruled out. *Together with the tax revenue shortfall of nearly 0.6 lakh crore, the total shortfall on the receipts side may be about ₹2.1-lakh crore. Two factors will affect the fiscal deficit estimate of 6.76% of GDP in 2021-22. First, there would be a change in the budgeted nominal GDP growth. Second, there would be a shortfall in the receipts from tax, non-tax and non-debt sources. The budgeted magnitude of fiscal deficit is ₹15.06-lakh crore. Together, these two factors may lead to a slippage in fiscal deficit which may be close to 7.7% of GDP in 2021-22 if total expenditures are kept at the budgeted levels.* This would call for revising the fiscal road map again. Protecting total expenditures at the budgeted level is, however, important given the need to support the economy in these challenging times. There is a case for reprioritising these expenditures.

Other steps, vaccination

The second wave of the novel coronavirus has put a spotlight on India's serious under-capacity in health infrastructure. Given the likelihood of a third COVID-19 wave, there is an urgent need to ramp up health and related infrastructure by enhancing the number of hospitals and hospital beds, sources of oxygen supplies, and the manufacture of COVID-19 vaccines and drugs. *The Centre's 2021-22 Budget has provided for ₹71,269 crore for the Department of Health and Family Welfare. This included a budgeted capital expenditure of ₹2,508.7 crore. In contrast, in 2020-21, the total health and family welfare expenditure (RE) was ₹78,866 crore, implying a fall of ₹7,597 crore in 2021-22. In the budgeted capital expenditure for health also, there was a fall of ₹1,724.8 crore as compared to the RE of 2020-21 at ₹4,233.5 crore.* Clearly, these magnitudes are quite inadequate for an economy challenged by COVID-19 for two successive years. The allocation for the health sector should be increased substantially by reprioritising expenditures. Construction activities within the health sector will have high multipliers. There may also be higher expenditure on inducting a larger workforce of doctors, nurses and paramedics and other hospital-related administrative staff. Furthermore, strong support is needed for the vulnerable groups of the society including migrant labour and the rural and urban unemployed population. *Speedy and larger vaccination coverage of the vulnerable population is key to minimising economic damage.* The Centre's Budget had allocated ₹35,000 crore for vaccination as shown in the Budget for the Department of Finance (demand for grant number 40) as an amount to be transferred to the States. India's population aged 12 years and above is 109 crore. Total vaccination doses (at two doses per person) adds to 218 crore. At an average price of ₹300 per dose, this would require an amount of ₹65,108 crore. This is a rough estimate. The cost to the government would be less if the coverage is less than full. *COVID-19 vaccination is characterised by strong inter-State positive externalities, making it primarily the responsibility of the central government. The entire vaccination bill should be borne by the central government.* Rather than having individual State governments floating global tenders for vaccines, *if the central government is the single agency for vaccine procurement, the economies of scale and the Centre's bargaining power would keep the average vaccine price low.* The total vaccination cost would go up if the unit cost goes up. *The central government may transfer the vaccines rather than the money that it has budgeted for transfer.* Some of the smaller States may find procuring vaccines through a global tender to be quite challenging.



SPECIAL GST MEET ON STATES' COMPENSATION

A special session of the Council will be held to discuss with the States how long the Compensation Cess levied under the GST regime needs to be extended beyond its current sunset date of July 2022, Ms. Sitharaman said. *For this year's estimated shortfall in compensation cess collections to meet States' dues, the Centre will raise ₹1.58 lakh crore to recompense States via back-to-back loans, like it was done last year.* The same formula adapted last year will be used this year. A rough estimate is that the Centre will have to borrow ₹1.58 lakh crore and lend it to States on a back-to-back basis. *Though the Council did not agree to the demand from Opposition States for a waiver on GST for COVID vaccines and other supplies to tackle the pandemic, it did agree to extend the GST exemption granted on relief material received free from abroad for donations to State-approved entities, to those who want to make such donations by purchasing the material from overseas. The period for availing this exemption has also been extended to August 31.* "With the rising cases of Black Fungus, a particular medicine required for it — *amphotericin-B* — has also been included in the exemption list (for tax-free imports)," Ms. Sitharaman said.

E-WAY BILL INTEGRATION WITH FASTAG, RFID: HOW VEHICLE TRACKING COULD CURB TAX EVASION

In a move that is expected to help curb tax evasion, Goods and Services Tax (GST) authorities will now be able to track real-time data of commercial vehicle (CV) movement on highways by integration of the e-way bill (EWB) system with FASTag and RFID. The integration of e-way bill, RFID and FASTag will allow live vigilance for e-way bill compliances by businesses and help prevent revenue leakage by real-time identification of cases of recycling of e-way bills or non-generation of e-way bills.

RBI ANNUAL REPORT FOR 2020-21: 'FALL IN PROVISIONS, SHARP FOREX GAINS LED TO HIGHER RBI SURPLUS'

The foreign exchange transactions of the central bank have come as a saviour for the government even as the Covid pandemic continues to rage across the country. The Reserve Bank of India (RBI) has been able to transfer a higher amount to the government as surplus this year following a sharp fall in provisions and gains from foreign exchange transactions during the year ended March 2021. The central bank's gain from foreign exchange transactions rose from Rs 29,993 crore to Rs 50,629 crore in 2020-21. *A good chunk of the money transferred to the government was profit from the sale of dollars during the last three months of FY21 — \$25.94 billion in March, \$24.57 billion in February and \$15.37 billion in January.* Last year, RBI dollar sales were just \$8.03 billion in March and \$1.46 billion in February. *The RBI last week decided to transfer a higher amount of Rs 99,122 crore to the government despite the year FY21 being a nine-month period as against Rs 57,127 crore in the previous 12-month period.* The RBI move, which is likely to boost the government's finances, comes at a time when the real economy indicators moderated through April-May 2021 as the second wave of Covid-19 took a heavy toll.

The central bank said the rupee gained by 3.5 per cent (based on USD/rupee closing rates as at end-March 2021 over end-March 2020) but underperformed vis-a-vis its Asian peers during 2020-21. In Q4 of 2020-21, while the Indian rupee remained supported by foreign portfolio flows



and merchant-related inflows, aiding the RBI to sell dollars at a gain, dollar purchases almost matched sales. *Under Section 47 of the RBI Act, 1934, after making provisions for bad and doubtful debts, depreciation in assets, contribution to staff and superannuation funds and for all matters for which provisions are to be made by or under the Act or that are usually provided by bankers, the balance of the profits of the Reserve Bank is required to be paid to the central government.* According to the RBI report, in India, the pace of contagion of the second wave has been alarming, stretching health infrastructure. The onset of the second wave has triggered a raft of revisions to growth projections, with the consensus gravitating towards the Reserve Bank's projection of 10.5 per cent for the year 2021-22 with 26.2 per cent growth in Q1, 8.3 per cent in Q2, 5.4 per cent in Q3 and 6.2 per cent in Q4. The size of the RBI balance sheet increased by 6.99 per cent from Rs 53,34,792 crore as on June 30, 2020 to Rs 57,07,669 crore as on March 31, 2021, the report said.

The RBI's annual report, released on Thursday, shows that a sharp 63% contraction in expenditure was a major factor in boosting the surplus, especially as income fell by 11%.

Still, a 69% increase in exchange gain, over the preceding 12-month period, prompts the question as to whether the RBI's foreign exchange transactions were all entirely aimed only at stabilising the rupee's value. Given the magnitude of economic disruption caused by the ongoing pandemic and the lack of visibility on the costs that the economy is going to have to bear in the coming months, the RBI's transfer surely provides a much-needed buffer to the government's finances. However, *both the Centre and the central bank need to be cognisant of the risks in making a habit of banking on these surpluses to cushion the government's coffers. After all, just two years ago, the RBI had transferred a record ₹1.76-lakh crore to the exchequer. While the Reserve Bank has ensured that it maintains contingency reserves at exactly 5.5% of the overall size of its balance sheet, the level of its reserves provides little wiggle room to safeguard against a sudden, unexpected financial crisis and is at the lower end of the 5.5%-6.5% band recommended by the Bimal Jalan committee. With the government facing the likelihood of overshooting its budgeted borrowing, given the higher spending needed to bolster vaccinations, health care and direct fiscal support, the RBI's balance sheet could swell in size this year too. It would behove policymakers to remember that the central bank is ultimately the lender of last resort to the nation as a whole and can ill-afford to be less than adequately funded to meet every conceivable contingency.*

CITING DISRUPTION, NBFCs PUT STRESS ON RBI FOR DILUTION OF AUDITOR NORMS

Pressure is mounting on the Reserve Bank of India (RBI) from banks and non-banking monetary firms (NBFCs) to loosen up the current tightening of the rules on appointment of auditors. Industry our bodies are up in arms in opposition to the RBI requirement on rotation, limiting and cooling off interval for auditors of banks and NBFCs. The RBI round, issued on April 27, to tighten the auditing course of is dealing with resistance from NBFCs which had a free run until now. *While the central financial institution transfer is geared toward stopping frauds, hidden unhealthy loans, cosy relationships between firms and auditors and cleansing up the auditing system after the fiasco involving IL&FS, Yes Bank and DHFL, NBFCs at the moment are lobbying by way of business our bodies for a roll-back.* Industry physique Finance Industry Development Council (FIDC) has already written to the RBI, saying that the present type of the round requires mid-year change in auditors for FY22, which is disruptive for many of the NBFCs and can trigger avoidable hardships to each NBFCs and audit companies. *The RBI has specified that an audit agency wouldn't be eligible*



for reappointment in the identical entity for six years (two tenures) after completion of full or a part of one time period of the audit tenure of three years. This means NBFCs will rotate auditors each three years. NBFCs with property of over Rs 15,000 crore must go for joint audits.

CONCERN OVER NEW NORMS FOR APPOINTMENT OF AUDITORS

“The circular, while issued on April 27, 2021, has been made applicable for the financial year 2021-22 itself, except that the NBFCs may implement it in the second half of the financial year. It is a widely accepted principle that, to reduce uncertainty and implementation challenges, such significant policy measures are not applied retrospectively and allow a reasonable transition period for a better understanding, planning and compliance,” the Confederation of Indian Industry (CII) said in a statement on Sunday. *In its current form, the RBI directive may require mid-term resignation of auditors, breaking the previously contracted terms in a large number of cases and creating disruption in the sector, the CII said.* “Change in auditors in the middle of the year will not be looked at favourably by the investors including FPIs, OCBs, MFs and other institutions. This also may adversely affect the image of the country in the international market,” it said, adding that identifying suitable new audit firms is neither a quick nor a mechanical process. The process involves the identification and evaluation of three or four firms, for each vacancy, by the audit committee, followed by an approval of the shortlisted firms by the board and a final approval by the shareholders, besides an okay from the central bank itself. *The three-year tenure specified by the RBI is relatively short and inconsistent with the Companies Act, which specifies a minimum engagement term of five years, the CII said, urging the central bank to rethink several components of the circular’s provisions.* “The RBI may consider deferment of implementation of the circular by at least two years for the industry to assess and prepare for its implementation,” the industry body suggested, adding that a phased operationalisation will help “avoid immediate disruption”.

MAKING SENSE OF IPO RUSH

On May 17, five companies filed their draft red herring prospectus (DRHP) for an initial public offering (IPO) with the Securities and Exchange Board of India (SEBI). Between April and May, 20 companies have filed their DRHP, 12 of them in May itself. *The sudden surge in the number of prospectus filings with SEBI to list and raise funds from the equity market comes on the back of strengthening benchmark indices, which are trading at all-time high levels and are likely to grow further following a declining trend in coronavirus cases and an uptick in economic activity going forward.* In 2020-21, as many as 69 companies raised close to Rs 75,000 crore through public issues, including IPOs. The figure is expected to more than double in 2021-22 as the LIC alone is expected to mop up around Rs 70,000 crore from the market. While there is going to be a big rush of IPOs if the markets continue to trade strong, investors should not get overawed by the number of public issues; they need to be very careful about choosing a company that is available at reasonable valuation.

A bull market offers a high probability of listing gains, which is not only a big draw for many IPO investors but also leads to companies launching their issues. A strong market means that a good company can command a higher valuation for its shares than in a subdued market environment. At the same time, *even the not-so-good companies can see their issues sail through in a buoyant market.* Also, *since market regulator SEBI has fine-tuned the primary market norms, enabling issuers*



to float IPOs and list their shares in a short period, companies look to capitalise on the bullishness in the market.

Does the money raised through an IPO go to the company?

While the equity on offer from a large number of companies is a mix of some fresh equity and mostly offer for sale (OFS) by existing investors or promoters, market participants say that an IPO is a good way for providing an exit to existing private equity and venture capital investors who would have supported the company during the initial years of its growth. Data sourced from Prime Database shows that over the last eight years, of the total issue amount of Rs 1.94 lakh crore that was raised by 160 IPOs, more than 75% (Rs 1.46 lakh crore) was raised through offer for sale. Around Rs 48,000 crore was raised through fresh equity. *While money raised by offering fresh equity in an IPO goes to the company for its expansion and growth, money raised through OFS goes to the investor offering his equity for sale.* Experts say this is a sign of a maturing capital market. "It is not necessarily a bad thing. While PE and VCs provide capital to entrepreneurs to grow their business, IPOs provide exit to the investors. It is important for them to get exit as then they can churn and utilise it to fund new businesses. It is a cycle and this trend is the sign of a maturing capital market," said Haldea.

What to look for before investing?

It is important to take a careful look at the company, its promoter, its management and financials before you invest. A good peer review is a must and investors should compare their growth and PE multiple (ratio of market price to earnings per share) before taking a call.

FIRST-TIME INVESTORS SEEN AIDING STOCK MARKET SURGE

A good part of the Indian stock market's rally over the past 14 months, even as the COVID-19 pandemic has shrunk economic activity and left millions without jobs, has been fuelled by a jump in first-time investors, according to equity analysts. The widening disconnect between the equity market and the ground reality of strict lockdowns across most of the States and tens of thousands of deaths has done little to deter these investors who appear to have been drawn by the lure of quick returns. The S&P BSE Sensex, which gained almost 2% to close at 50,540.48 points on Friday, has almost doubled since its pre-national lockdown low of 25,981.24 points on March 23, 2020, having surged 94.5%. In FY21, more than 14 million new demat accounts were opened, an almost threefold jump from the 4.9 million that were started in the previous year, a trend that has continued this fiscal. While ease of trading on new technology platforms, including mobile phone applications, has been a trigger, the lack of commensurate returns from real estate and debt instruments have also driven investors to the stock market, said the analysts.

WHAT IS SUPREME COURT RULING ON CREDITORS INVOKING PERSONAL GUARANTEES?

Six months after it transferred all the cases related to personal insolvency to itself, the Supreme Court has ruled that creditors can proceed against promoters of defaulting companies to recover debt if such promoters have given personal guarantees to secure funds. *The top court has also said that lenders can also proceed against the promoters of a defaulting company even when the corporate insolvency resolution process of the firm itself has not been completed.*



What did the Supreme Court say about personal insolvency under IBC?

One of the most important things that the SC has said is that mere approval of a resolution plan for a debt-laden company does not automatically discharge a promoter from their liability in lieu of the personal guarantee they had given to secure the funding for the company. Since personal guarantees from promoters are a kind of assurance to lenders that the monies being borrowed will be returned, the apex court has said that under the contract of guarantee, the liability of the promoter will be over and above the liabilities of the company. Since lenders are, in most cases, forced to take a haircut on their pending dues when a resolution plan is approved for a debt-laden company, the ruling by the Supreme Court allows them to pursue promoters for additional recovery of debt.

What is a personal guarantee? How do promoters use this route to get funds?

A personal guarantee is most likely to be furnished by a promoter or promoter entity when the banks demand for collateral which equals the risk they are taking by lending to the firm, which may not be doing so well. It is different from the collateral that firms give to banks to take loans, *as Indian corporate laws say that individuals such as promoters are different from businesses and the two are very separate entities. A personal guarantee, therefore, is an assurance from the promoters or promoter group that if the lender allows them the fund, they will be able to turn around the loss-making unit and repay the said loan on time.*

Why does the government want promoters to be more liable for the funds they borrow?

Bad loans have been a major problem for banks and financial creditors over the past decade. Add to that, promoters had been able to secure funds from banks without the due diligence in most cases because of their past transaction history. To put a stop to this, the government had in December 2019 introduced the provision which gave banks the power to move application for initiation of insolvency against personal guarantors to corporate debtors. Additionally, the finance ministry nudged banks to also pursue personal insolvency cases against promoters who had furnished personal guarantees for the loans taken by their firms, which later was not re-paid as per the agreed schedule. Both these steps were taken to make promoters more liable for their actions and to check the practice of securing monies for a particular project but then diverting it to other projects or works.

Which promoters does the Supreme Court ruling impact in the near future?

In December 2019, when the government came out with the notification on personal insolvency, the provisions were challenged initially by as many as 19 promoters before different high courts who claimed that it was always a management board that ran the company and therefore the promoters alone should not be held liable for the default on debt repayment. By the time the Supreme Court transferred all the cases to itself in December 2020, as many as 75 promoters and guarantors had challenged the personal insolvency provisions. *Among the bigger names which are likely to be impacted by the judgment are former promoters of Bhushan Steel and Power Sanjay Singhal and his wife Aarti Singhal had furnished personal guarantees worth up to Rs 24,550 crore to take loans from a consortium of bank led by State Bank of India (SBI). Similarly, banks are now also likely to move ahead with personal insolvency plea against Venugopal Dhoot and other members of the Dhoot family who were in promoter capacity of Videocon and had furnished personal guarantees*

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to secure funds. The former promoter of Reliance Communications, Anil Ambani, is also one of the bigger names against whose banks are likely to proceed quickly to recover as much dues as possible.

The only wrinkle here is that once the resolution plan becomes legally binding, the guarantor loses the recourse to remedy from the borrower when the creditor invokes the personal guarantee. Entrepreneurs will now have to think twice before signing a personal guarantee unless they can be very certain that the business they found will not flounder.

WHY EDIBLE OILS ARE COSTLIER

Edible oil prices have risen sharply in recent months. A look at the reasons, and the options before the government for price control:

How much have edible oil prices risen?

The prices of six edible oils — groundnut oil, mustard oil, vanaspati, soya oil, sunflower oil and palm oil — have risen between 20% and 56% at all-India levels in the last one year, data on the Department of Consumer Affairs website show. The retail price of mustard oil (packed) has increased by 44% to Rs 171 per kg on May 28 this year, from Rs 118 per kg on the same date last year. The prices of soya oil and sunflower oil, too, have increased more than 50% since last year. In fact, *the monthly average retail prices of all six edible oils soared to an 11-year high in May 2021.* The sharp increase in cooking oil prices has come at a time when household incomes have been hit due to Covid-19.

How much edible oil does India consume?

With rising incomes and changing food habits, consumption of edible oils has been rising over the years. While mustard oil is consumed mostly in rural areas, the share of refined oils —sunflower oil and soyabean oil — is higher in urban areas. *Between 1993-94 and 2004-05, monthly per capita consumption of edible oils increased from 0.37 kg to 0.48 kg in rural areas, and from 0.56 kg to 0.66 kg in urban areas.* By 2011-12, it had risen further to 0.67 kg in rural areas and 0.85 kg in urban areas. Although comparable figures are not available beyond that, a steady rise in the per capita availability of vegetable oils, through domestic sources as well as imports, indicates that demand has continued to rise. According to the Ministry of Agriculture and Farmers' Welfare, the per capita availability of vegetable oils in the country has been in the range of 19.10 kg to 19.80 kg per annum during the last five years.

How much is produced domestically and how much is imported?

According to the Agriculture Ministry, the demand for vegetable oils has been in the range of 23.48–25.92 million tonnes between 2015-16 and 2019-20. However, domestic supply in this period has been much lower, in the range of 8.63–10.65 million tonnes. In 2019-20, domestic availability of edible oils from both primary sources (oilseeds like mustard, groundnut etc.) and secondary sources (such as coconut, oil palm, rice bran oil, cotton seed) was only 10.65 million tonnes against the total domestic demand of 24 million tonnes — a gap of over 13 million tonnes. Thus, *India depends on imports to meet its demand. In 2019-20, the country imported about 13.35 million tonnes of edible oils worth Rs 61,559 crore, or about 56% of the demand. This mainly comprised palm (7 million tonnes), soyabean (3.5 million tonnes) and sunflower (2.5 million tonnes).*



The major sources of these imports are Argentina and Brazil for soyabean oil; Indonesia and Malaysia palm oil; and Ukraine and Argentina again for sunflower oil.

Why are prices rising?

The increase in domestic prices is basically a reflection of international prices, because India meets 56% of its domestic demand through imports. In the international market, prices of edible oils have jumped sharply in recent months due to various factors. The price of crude palm oil (for the most actively-traded futures contract at the Bursa Malaysia derivatives exchange) was quoted at 3,890 ringgit per tonne on May 25, compared to 2,281 ringgit a year ago. At the Chicago Board of Trade (CBOT), the closing price of soyabean for July delivery was at \$559.51 per tonne on May 24, as against \$306.16 at this time last year. The prices of soyabean at CBOT and of Malaysian palm oil determine the prices Indian consumers pay for edible oil. Even the Food and Agriculture Organization (FAO) price index (2014-2016=100) for vegetable oils, an indicator of movement of edible oil prices in the international market, has soared to 162 in April this year, compared to 81 in April last year.

But why are international prices rising?

B V Mehta, executive director of the Solvent Extractors' Association of India (SEAI), said *one of the reasons is the thrust on making biofuel from vegetable oil.* "There is a shifting of edible oils from food basket to fuel basket," Mehta said, adding *there has been a thrust on making renewable fuel from soyabean oil in the US, Brazil and other countries.* He said that despite the Covid-19 pandemic, the global demand for edible oils has been high. *Other factors include buying by China, labour issues in Malaysia, the impact of La Niña on palm and soya producing areas, and export duties on crude palm oil in Indonesia and Malaysia.* According to the FAO, reports of "lower than-expected planting intentions and accounts of below-average temperatures and dry conditions in parts of USA's main soya growing regions cast doubts over the supply prospects for the upcoming 2021/22 season". Besides, Argentina's production outlook is conditioned by reports of lower-than-anticipated yields owing to prolonged dryness, says the FAO's Oilseeds, Oils & Meals: Monthly Price and Policy Update for the month of May.

What are the options before the government?

One of the short-term options for reducing edible oil prices is to lower import duties. According to SEAI, *the effective rate of import duties, including agriculture infrastructure and development cess and social welfare cess, has been 35.75% with effect from February 2, 2021. The effective import duties on 'refined, bleached and deodorised (RBD) palm oil' is 59.40%. Similarly, the rate of effective import duties on crude and refined soyabean oil and sunflower oil is in the range of 38.50% to 49.50%.* The policy for import of crude palm oil is "free", while for RBD palm oil it is "restricted." If the government reduces import duty on refined palm oil, prices will come down immediately, said an official. However, the edible oil industry is not in favour of reducing duties. SEAI's Mehta said if import duties are reduced, international prices will go up, and neither will the government get revenue, nor will the consumer benefit. He felt the government should rather subsidise edible oils and make available these to the poor under the Public Distribution System.



AMAZON TO GAIN BOND FILMS VIA \$8.45 BN DEAL TO ACQUIRE MGM

Online shopping giant Amazon is buying MGM, the movie and TV studio behind James Bond, "Legally Blonde" and "Shark Tank," with the hopes of filling its video-streaming service with more stuff to watch. Amazon is paying \$8.45 billion for MGM, making it the company's second-largest acquisition after it bought grocer Whole Foods for almost \$14 billion in 2017. The deal is the latest in the media industry that's aimed at boosting streaming services to compete against Netflix and Disney+. AT&T and Discovery announced on May 17 that they would combine media companies, creating a powerhouse that includes HGTV, CNN and HBO.

Prime membership

Amazon doesn't say how many people watch its Prime Video service. But more than 200 million have access to it because they're signed up for its Prime membership, which gives them faster shipping and other perks. *Besides Prime Video, Amazon also has a free streaming service called IMDb TV, where Amazon makes money by playing ads during movies and shows.* Buying MGM would give Amazon access to more films, shows and famous characters, including Rocky and Pink Panther. *Amazon will also get a cable channel: Epix, which MGM owns. Known for its roaring lion logo, MGM is one of the oldest Hollywood studios, founded in 1924 when films were silent.* It has a long list of classics in its library, including 'Singin' in the Rain.' More recent productions include reality TV staples 'Shark Tank' and 'The Real Housewives of Beverly Hills,' as well as the upcoming James Bond movie 'No Time to Die.' Amazon already has its own studio but has had mixed results.



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LIFE & SCIENCE

IN TWO MINDS

Not everyone is enthused about the biggest sporting event of the world, due in a couple of months in Tokyo. Less than a fortnight ago, Roger Federer spoke about the uncertainty looming over the Olympics, saying 'athletes need a firm decision' and that he is in two minds about the event. There are two diametrically opposite voices emerging from Japan. *As the coronavirus pandemic rages across the island nation, a BBC report stated that only 1.9% of the population has been fully vaccinated while COVID-19 infections and current deaths stand at over 7,00,000 and 12,000, respectively.* Hospitals are overwhelmed and fully aware of that grim context; a majority of Japanese citizens emphasised that the Olympics should either be postponed or cancelled while their collective voice found resonance through opinion polls. As a counter, local officials and the International Olympic Committee (IOC) held firm that the Games will be conducted from July 23 to August 8. The quadrennial showpiece championship originally slated for 2020 was postponed by a year during the first wave of the pandemic, and organisers believe that an event with a staggering \$15.4 billion budget cannot afford another reworking of the dates. *The Olympics has always been about striving for the impossible as evident in its motto — faster, higher, stronger — which defined the Games ever since its modern version commenced at Athens in 1896. It braved past the gaps caused by the World Wars as the 1916, 1940 and 1944 events were shelved and also coped with the Cold War years when the Western and Eastern blocs took turns to boycott the 1980 and 1984 Games. But the pandemic is a bigger obstacle even while vaccination drives continue at varied speeds.* People do yearn for normalcy and sport offers that illusory thrill of everything being fine with the world. Seen through that prism, the Olympics is the highest benchmark. European football, international cricket and Grand Slam tennis have all resurfaced while following COVID-19 protocols. *But there are no fool-proof measures as the latest truncated Indian Premier League edition clearly revealed. Despite best practices and bio-bubbles, sportspeople are vulnerable to the virus and the Olympics with an expected attendance of 11,091 athletes, can be a logistical nightmare.* The IOC is walking on the razor's edge in its bid to conduct the Olympics in a reluctant nation, where even an event partner, Asahi Shimbun daily, sought the cancellation of the Games citing the strain on the health sector. So far, the most pessimistic of the experts have been the ones being proved right.

SENSITIVE WARBLERS

Roadside habitats are important for many plants, insects, mammals, and birds. There is mounting evidence that traffic noise can have several negative effects on animals. The loud noise has been known to disrupt the ability of birds to communicate and even attract mates. A previous study proposed that traffic noise reduced breeding success in Willow Warblers (*Phylloscopus trochilus*). Another paper found that hearing the noises of cars driving by was enough to inhibit cognitive performance in songbirds. A new study (*Science Advances*) published this week noted that juvenile zebra finches (*Taeniopygia guttata*) raised in an environment that simulated city traffic noise had weaker immune responses and delayed vocal development than chicks raised in quiet nests. Henrik Brumm, who led the international research project, said in a release that the findings indicate that young songbirds, just like human children, are particularly vulnerable to the effects



of noise because of its potential to interfere with learning at a critical developmental stage. The paper adds that traffic noise pollution also has the potential to affect the cultural evolution of birdsong.

HOW NEW FACEBOOK FEATURE FLAGS MISINFORMATION

On the lines of Twitter's tool to flag posts with false information, social networking giant Facebook has kicked off a new way to inform people if they're interacting with content that's been rated by a fact-checker.

What is Facebook changing?

Facebook has mainly brought in three new changes. Firstly, *it will tag a page that has been repeatedly sharing information flagged by fact-checkers.* Secondly, *it is expanding penalties for individual Facebook accounts to reduce viral misinformation.* And lastly, *it has redesigned the notifications that people get when they share content that has been flagged by fact-checkers.*

How will Facebook flag pages sharing misinformation?

When a user goes to a Facebook page that has been repeatedly flagged by its fact-checkers to like it, the social networking portal will give a prompt saying "This Page has repeatedly shared false information". Users can also click on the said prompt to learn more, including that fact-checkers said some posts shared by this Page include false information and a link to more information about the fact-checking program. Facebook says this will help people make an informed decision about whether they want to follow the Page.

What are the new penalties for those sharing false information?

Facebook will reduce the distribution of all posts in News Feed from an individual's account if they repeatedly share content that has been rated by one of its fact-checking partners. Currently, it reduces a single post's reach in News Feed if it has been debunked. Earlier, Facebook took action against Pages, Groups, Instagram accounts and domains sharing misinformation and now, it is expanding this to include penalties for individual Facebook accounts too.

How is Facebook redesigning notifications for sharing of fact-checked information?

Currently, Facebook notifies people when they share content that a fact-checker later rates. *The new notification includes the fact-checkers article debunking the claim as well as a prompt to share the article.* It also includes a notice that people who repeatedly share false information may have their posts moved lower in News Feed so other people are less likely to see them.

Which fact-checkers has Facebook engaged with?

Globally, Facebook has engaged several fact-checking partners — different for various geographies. For India, Facebook has partnered with nine fact-checkers — *AFP-Hub, Boom, Fact Crescendo, Factly, India Today Fact Check, NewsChecker, Newsmobile Fact Checker, The Quint and Vishvas.News.* Similarly, in the US, the Facebook third-party fact-checker programme has onboarded 10 partners — AFP-Hub, The Associated Press, Check Your Fact, The Dispatch, Factcheck.org, Lead Stories, PolitiFact, Science Feedback, Reuters Fact Check and USA TODAY.

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GOOD PHOTO, BAD PHOTO

Not a day goes by without social media platforms being riddled with photographs of “body transformations”, of male celebrities as often, lately, as their female counterparts. Then there are the pictures regular folk post from their day out at the beach, or an exotic tropical holiday. None of these images offends the sensibilities of Facebook, and rightly so; they are not removed by the mysterious “algorithm”. Yet, images of historical significance that, for many, are a connection to their culture are “flagged” and taken down. *Photos have been removed recently for allegedly containing nudity from a page with over 55,000 members that celebrates the culture and history of Papua New Guinea.* Yet, the standards of “nudity” are anything but unbiased. For example, *one of the pictures removed — of bare-chested men engaged in a socio-religious ceremony — is something that is frequently seen on private and public posts. Photographs from galleries and museums, posted with context, were taken down, and many of those posting them have had their privileges on the platform suspended.* The double standards extend to many political issues: In recent weeks, *Instagram and Facebook have also sparked controversy by removing posts that are pro-Palestine, even though there was no evidence of incitement to violence.* As the debate over whether social media giants are platforms or publishers rages on, one thing is clear: *It is no longer possible for the likes of Facebook to hide behind the opacity of their algorithms.* Ironically, the page celebrating Papua New Guinea’s culture could have actually served as a best-case scenario for social media: Its members connected with each other and their past and a shared culture through the page in a way that would have been nearly impossible in an analogue world. If the algorithm prevents that, it may be time to rewrite it.

GROWTH OF YOUNG SMOKERS IN INDIA AND THE WORLD

India had the second highest number of tobacco smokers aged 15-24 in 2019 (nearly 2 crore), and witnessed the highest increase of male smokers in this age group since 1990. Ahead of World No Tobacco Day (May 31), the Global Burden of Disease collaboration has published three new studies in The Lancet and The Lancet Public Health journals. They use data from 3,625 nationally representative surveys in 204 countries. *Globally, the number of smokers increased to 1.1 billion in 2019, with tobacco smoking causing 7.7 million deaths — including 1 in 5 deaths in males worldwide. Among new smokers, 89% become addicted by age 25.*

Prevalence

*The 10 countries with the largest number of tobacco smokers in 2019, together comprising nearly two-thirds of the global tobacco smoking population, are China, India, Indonesia, the USA, Russia, Bangladesh, Japan, Turkey, Vietnam, and the Philippines. In the 15-24 age group, China (26.5 million), India (19.8 million), and Indonesia (9.91 million) had the largest numbers of tobacco smokers in 2019. Globally, there were 155 million smokers in this age group. India (4.67 million), Egypt (1.24 million) and Indonesia (1.22 million) had the largest absolute increases in the number of male smokers aged 15-24. The largest increases in female smokers aged 15-24 were in Turkey (4.6 lakh) Jordan (1.1 lakh) and Zambia (1.1 lakh). “In countries like India, there has been largest absolute increase in number of young male smokers,” said Professor Monika Arora, Director of Health Promotion Division at Public Health Foundation of India, and one of the study authors. “Reducing prevalence in any country requires two-pronged strategy. *First is to step up cessation**



services to help current users quit, but the second approach has to focus on preventing initiation among adolescents and youth,” Dr Arora said. “India has had excellent evidence on effectiveness of school health interventions in reducing tobacco use among adolescents, through well conducted and published interventions like Project MYTRI (Mobilising Youth for Tobacco Related Initiatives in India). *India has already enforced policies in favour of protecting youth from new emerging tobacco and nicotine products by banning gutkha/smokeless tobacco in some states and e-cigarettes.* India can consider adopting a vision for Tobacco Endgame and Tobacco Free Future Generations to protect the youth of the country from this growing tobacco epidemic,” she said.

Deaths

In 2019, smoking was associated with 1.7 million deaths from ischaemic heart disease, 1.6 million deaths from COPD, 1.3 million deaths from tracheal, bronchus, and lung cancer, and nearly 1 million deaths from stroke. Previous studies have shown that smokers have *an average life expectancy ten years lower than never-smokers.* Approximately *87% of deaths attributable to smoking occurred among current smokers. Only 6% of deaths attributable to smoking tobacco use occurred among individuals who had quit smoking at least 15 years previously, highlighting the health benefits of cessation.*

PHYSICAL ACTIVITY SANK DURING COVID-19 RESTRICTIONS

During the first lockdown, people were a good 40% less active, as shown by an international study led by Goethe University Frankfurt. Psychological well-being sank as well; the portion of people at potential risk for depression tripled, the study found. Twenty scientists from 14 countries warn of a hidden “pandemic within the pandemic” in two publications. One study, in the International Journal of Environmental Research and Public Health, describes how physical activity levels have gone down significantly. The other study, in Frontiers in Medicine, describes how psychological well-being has suffered. About 15,000 people in participating countries answered standardised questionnaires as part of an international survey. In April-May 2020, they reported physical activity levels (13,500 participants) as well as their mental and physical well-being (15,000 participants) before and during the pandemic-related restrictions. More than two-thirds of those questioned were unable to maintain their usual level of activity. Moderate exercise decreased by an average of 41% according to self-reported data – this includes anything that increases heart rate and breathing, such as brisk walking, running, cycling or even strenuous gardening. The proportion of vigorous exercise during which people sweat and clearly run out of breath fell by 42%. The effects were somewhat higher among professional athletes and particularly active people, as well as comparatively young and old people. The decline in activity was particularly noticeable among people over 70 years of age, who were 56-67% less active than before.

HOW BIG A ROLE CAN SNIFFER DOGS PLAY IN DETECTION OF CORONAVIRUS?

In the last one month, two groups of researchers have reported separate findings on sniffer dogs detecting coronavirus infection in humans with remarkable accuracy. The role of detection dogs has been the subject of a number of studies and experiments during the pandemic — and even before, with dogs trained to detect various other diseases, as well as drugs and explosives. So, are dogs the future in coronavirus testing? The evidence so far indicates they can be useful in



identifying potentially infected people in crowds — but those identified would still need to undergo conventional tests such as RT-PCR.

What are these new studies?

In April, researchers from University of Pennsylvania and collaborators published a study in the journal PLOS One describing how nine trained dogs — eight Labrador retrievers and a Belgian Malinois — identified urine samples from patients who were positive for SARS-CoV-2, discerning them from samples that were negative for the virus. *They detected positive samples with 96% accuracy, but their ability to detect false negatives was lower.* And last week, researchers from the London School of Hygiene and Tropical Medicine (LSHTM) and collaborators published a preprint of the findings of a year-long study funded by the UK government. They reported that six trained dogs could identify odour samples from infected people with *accuracy up to 94% (comparable with 97.2% for RT-PCR) and correctly ignore uninfected samples with accuracy up to 92%.*

Does coronavirus have a smell?

Waste products from infected people have distinctive smells, various studies have found. Our urine, saliva and sweat release chemicals called volatile organic compounds, which can have different odours depending on whether a person has an infection or not. Last December, French scientists had published yet another study on dogs detecting coronavirus, in PLOS One. “When the virus replicates or make the cell produce its ‘toxic’ molecules, specific molecules are produced and they have to leave the body as metabolites or catabolites,” Professor Dominique Grandjean of the National Veterinary School of Alfort, France, who led the French study, told The Indian Express by email in December. “It has been demonstrated that in the exhaled air we could find molecules that are specific to SARS-CoV-2, like an olfactory signature...” he said. Besides dogs, the UK study also used sensors — called organic semi-conducting sensors — that could distinguish between odours from people with asymptomatic or mild symptoms, and uninfected individuals.

Why dogs?

According to Medical Detection Dogs, which trained the dogs for the UK study, *a dog's sense of smell is elevated due to the complex structure of its nose.* Humans cannot detect the odours that dogs do. A 2004 study in BMJ reported that trained dogs correctly identified urine samples of patients with bladder cancer on 22 out of 54 occasions. Medical Detection Dogs cites evidence that *dogs may be able to detect Parkinson's disease years before the onset of symptoms.* A 2019 study in The Lancet described how *dogs identified malaria-infected children in Gambia from their foot odours.* For coronavirus, *Dubai Airport last year became the world's first to deploy dogs to detect such infection among passengers. Finland and Lebanon have conducted trials with detection dogs at airports.*

Mathematical modelling based on the findings showed that in a real-life setting, trained sniffers could screen over 300 passengers in an airport within 30 minutes.

Does that mean that dogs can be an alternative to RT-PCR tests?

The authors of the UK study offer it as a complement rather than a substitute. The modelling found that using trained dogs followed by a confirmatory PCR test can detect nearly 91% of infections



in both symptomatic and asymptomatic carriers. “We do not mean for the dogs to replace PCR or LFT tests,” Professor Logan said. “The major benefit of these dogs is how quickly they can detect the odour of the infection. Our modelling suggested that the best use of the dogs is as a rapid mass screening tool with a confirmatory PCR for anyone who is indicated as positive by the dogs, and therefore could reduce the number of PCR tests required.” Again, these studies were conducted in a trial setting where the dogs were trained in a controlled environment. Beyond the modelling in the UK study, the effectiveness of trained dogs is yet to be determined in a real-world setting. Last November, Nature published an article on the possible role of sniffer dogs in detecting coronavirus. It quoted veterinary neurologist Holger Volk, who is leading such a study in Germany, as saying: *“No one is saying they (dogs) can replace a PCR machine, but they could be very promising.”*

COVID-19 COULD BECOME LIKE COMMON COLD IN FUTURE

The novel coronavirus responsible for COVID-19 could cause no more than common cold-like coughs and sniffles within the next decade, according to a study. The research, published in the journal Viruses, makes this likely prediction based on mathematical models that incorporate lessons learned from the current pandemic on how our body's immunity changes over time. The study suggests that changes in the disease could be driven by adaptations of our immune response rather than by changes in the virus itself. Although the SARS-CoV-2 virus is the best-known member of the family, other seasonal coronaviruses circulate in the human population, and they are less dangerous.

The ‘Russian flu’

The researchers noted that some evidence indicates that one of these cold-causing relatives might have once been severe, giving rise to the “Russian flu” pandemic in the late nineteenth century. The parallels led the scientists to wonder whether the severity of SARS-CoV-2 could similarly lessen over time. They built mathematical models incorporating evidence on the body's immune response to SARS-CoV-2. Analysing several scenarios and their versions set up a situation where *an increasing proportion of the population will become predisposed to mild disease over the long term.* “In the beginning of the pandemic, no one had seen the virus before. Our immune system was not prepared,” Adler explained. The models show that *as more adults become partially immune, whether through prior infection or vaccination, severe infections all but disappear over the next decade, the researchers said. Eventually, the only people who will be exposed to the virus for the first time will be children who are naturally less prone to severe disease,* they said. “The novel approach here is to recognise the competition taking place between mild and severe COVID-19 infections and ask which type will get to persist in the long run,” said Alexander Beams, study first author and graduate student at University of Utah. “We have shown that mild infections will win, as long as they train our immune systems to fight against severe infections,” Beams said.

New variants

However, the researchers noted that the models do not account for every potential influence on disease trajectory. For instance, if new virus variants overcome partial immunity, COVID-19 could take a turn for the worse, they said. The team also noted that these predictions will hold up only if the key assumptions of the models hold up. “Our next step is comparing our model predictions



with the most current disease data to assess which way the pandemic is going as it is happening,” Adler added.

STUDY LINKS LOW TESTOSTERONE TO SEVERE COVID RISK IN MEN

Throughout the pandemic, doctors have seen evidence that men with Covid-19 fare worse than women, on average. One theory is that hormonal differences may make men more susceptible. And since men have more testosterone than women, some scientists have speculated that high levels of testosterone may be to blame. But a new study in JAMA Network Open suggests that, among men, the opposite may be true: that *low testosterone levels are linked to more severe disease. The study could not prove that low testosterone is a cause of severe Covid-19; low levels could simply serve as a marker of some other causal factors. The researchers measured hormones in blood samples from 90 men and 62 women who came to Barnes-Jewish Hospital with Covid-19 infection. Of them, 143 were admitted. Among women, no correlation was found between levels of any hormone and disease severity. Among men, only testosterone levels were linked to Covid-19 severity. The lower the levels, the more severe the disease.* For example, those with the lowest levels were at highest risk of going on a ventilator, needing intensive care or dying; 37 patients (including 25 men) died over the course of the study.



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