

CURRENT AFFAIRS FOR UPSC

4TH TO 10TH JULY, 2021

DreamIAS



INTERNATIONAL

CULTURAL GENOCIDE

The recent discovery of hundreds of graves in Canada has put the spotlight back on its dark past, when indigenous people faced systemic discrimination and violence. In June, the Cowessess First Nation, an indigenous organisation, found 751 unmarked graves at the site of a former residential school in Saskatchewan. This came a month after another indigenous organisation discovered the remains of 215 children at a closed residential school in British Columbia. Canada's residential school system was a telling example of how indigenous people were treated. *Between 1882 and 1996, an estimated 150,000 children were sent to residential schools, that were funded by the federal government and run mostly by the Catholic Church.* Most of these students were forcefully taken away from their families. And thousands never returned. *In 1883, Canada's first Prime Minister, Sir John A. Macdonald, defended in Parliament the system of residential schools, saying indigenous students should be kept away from their parents, "who are savages". The children were not allowed to speak their languages or practise their culture. Many were abused. An estimated 4,000 children died, mainly due to TB, malnutrition and other illnesses resulting from the squalid conditions in the schools.* Despite these horrors, the residential school system continued for over a century. *In 2008, Prime Minister Stephen Harper issued a formal apology.* The Government also set up a Truth and Reconciliation Commission to document the history and the lasting impact of the school system on the indigenous communities. *In 2015, the commission called the violence against the indigenous students a "cultural genocide".* It has made 94 "calls to action" to different levels of the government and communities that included independent investigations and steps to protect Aboriginal rights and culture. It also asked the Catholic Church to apologise and take steps toward reconciliation. *The Vatican is yet to formally apologise for the schools.* Justin Trudeau, who came to power in 2015, had promised that addressing the grievances of the indigenous communities was a core agenda. But six years later, indigenous organisations say the authorities are half-hearted. The back-to-back discoveries of unmarked graves strengthen indigenous organisations' claims that the actual number of the dead is way above the estimates of the commission. Mr. Trudeau has expressed "guilt" over the abuses. But that is not enough. His government should assist indigenous organisations to find unmarked graves. He should order investigations into the residential schools with graves to get to the bottom of the matter. Mr. Trudeau should also accelerate steps to implement all the recommendations of the Reconciliation Commission to ensure reparations are done to the country's indigenous community.

EU'S 'GREEN PASSPORT'

On July 1, the European Union implemented the EU Digital COVID Certificate (EUDCC) or the "Green Passport", which allows ease of intra-European travel for passengers who have taken one of four vaccines 'recognised' by the European Medicines Agency (EMA) that excludes Indian-made Covishield and Covaxin, among others. The move led to a sharp protest from India, as well as the African Union, as concerns grow over vaccine passports that discriminate against travellers from developing countries with limited access to vaccines. *Some European countries have since relented, with a third of the 27-nation EU agreeing to include Covishield in the list of approved vaccines.*



What does the EUDCC entitle passengers to?

The EUDCC, or the Green Passport, which is in the form of a digital QR code, attests that a person has been vaccinated against COVID-19, and also if they have had a recent negative test and/or are considered immune having previously contracted the illness. *It is recognised by all 27 EU countries, as well as Switzerland, Liechtenstein, Iceland and Norway for passengers within Europe, who are bound not to need separate documentation for intra-EU travel.*

How will it impact Indian travellers?

The EUDCC will impact Indians notionally at present, as only essential travel is allowed into EU countries and special permission has to be taken for those travelling from India. With global concerns over the Delta variant, which was first detected in India, more restrictions are in place for Indians travelling abroad. The European Union has pointed out that the EUDCC is only meant for passengers within the EU, and that most, if not all, residents would have received one of the four vaccines that have been cleared by the EMA — Comirnaty (Pfizer/BioNTech), Vaccine Janssen (Johnson & Johnson), Spikevax (Moderna) and Vaxzevria (AstraZeneca Europe). *According to the EU, the Serum Institute of India's (SII) Covishield was a "biologically" different product and it hence needs to apply separately for EMA clearance. Both SII and AstraZeneca have since clarified that they are in the process of seeking clearances. Meanwhile, the road seems harder for Bharat Biotech's Covaxin, as unlike Covishield, it has not received recognition from even the World Health Organization (WHO) and is in the process of completing its application there.*

How did India register its protests?

During his visit to Italy for the G20 ministerial conference last week, External Affairs Minister S. Jaishankar registered a strong protest in his meetings with European counterparts as well as EU High Representative Josep Borrell Fontelles, as *government sources indicated that India was prepared to initiate reciprocal harsh quarantine measures against countries that discriminated against Indians.* India's concerns are three-fold. It feels vaccine passports will restrict passengers from countries that don't have the same access to vaccines and will increase vaccine inequality. It also argues that the EU should recognise Covishield as it is no different from other AstraZeneca-licensed vaccines, and more broadly that all Indian-approved vaccines should be given recognition worldwide, and that passengers can be certified via the Co-WIN website. Furthermore, officials point out that Covishield was distributed to 95 countries, mainly low- and middle-income countries of the global South, and the EU action discriminates against all of them. *There is a hint of racism*, they claim, in the fact that all vaccines cleared by the EMA are those that have been taken by residents in Europe and North America, whereas the ones excluded are those made and distributed far and wide in the rest of the world by Russia, India and China. *Backing India's stand, the African Union and Africa Centres for Disease Control and Prevention issued a statement raising concerns over the Green Passport, pointing out that the Covishield vaccine was the "backbone" of the EU-supported international COVAX alliance's programme in Africa, along with the AstraZeneca-SkBio vaccine produced in South Korea.*

What is the WHO's stand?

In its interim guidance released on July 2, a day after the EUDCC was launched and implemented, the WHO published its 'Policy considerations for implementing a risk-based approach to travel in

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



the context of COVID-19'. In it, the WHO held categorically that vaccine passports should not be made mandatory for travel and should be optional, stating that proof of COVID-19 vaccination should not be required as a condition of entry and exit from a country.

Will the EU relent?

By bringing in the EUDCC, the European Union has made it clear that it intends to use these vaccine passports in some measure to differentiate between those who are vaccinated and those who aren't or have taken 'unrecognised' vaccines. However, with *at least nine countries, including Austria, Germany, Greece, Iceland, Ireland, the Netherlands, Slovenia, Spain and Switzerland, agreeing to independently make exemptions for Covishield, and Estonia accepting both Covishield and Covaxin, there is hope that enough pressure will build on the EMA to include exemptions for Indian vaccines as well.*

AGENTS OF CHANGE AND A NEW CHAPTER IN ISRAEL'S POLITICS

Benjamin Netanyahu is out and Israel has got a government without him after 12 years. The new government has cobbled together a very unexpected coalition of eight political parties led by Naftali Bennett who is head of the smallest segment of the coalition. With only six seats of his far-right party, Yamina, Mr. Bennett has surprised all by preventing two things — Netanyahu's hold on power and the fifth national election that most Israelis feared coming their way. *It is Yair Lapid, Israel's new Foreign Minister and the Prime Minister-in-waiting, who is the key architect of the coalition.* Mr. Bennett acknowledged him in his first speech in the Knesset (<https://bit.ly/3wmqVcG>) by saying that Mr. Lapid "showed national responsibility, political generosity, and without whom we would not be here today". *Under the coalition deal, Mr. Bennett will be the Prime Minister for the first two years, followed by Mr. Lapid for the remaining two.* While there are not many who predict that this coalition will last that long, the very strange union is still a welcome change in Israeli politics after the four national elections in less than two years. *The eight parties do not have any ideological coherence but the single agenda to keep Mr. Netanyahu out of power, in the short run, and to uphold the democratic system based on consensus building, in the long run.*

Diverse team

What makes this coalition unique as much as fragile is the fact they fight each other on the most essential matters of politics. Yet, *the fight against Mr. Netanyahu has given the Israeli people the most representative government: the coalition has three right-wing parties, two centrist parties, two left-wing parties and one Arab party. Women leaders have done well too, comprising nine Ministers out of the total of 27 Ministers. It is remarkable from the gender point of view as Israel, like most other nation-states, is male-dominated.* There is no religious party in the coalition, but Mr. Bennett is a religious individual unlike Mr. Netanyahu; he is also the first kippa (skull cap) wearing Prime Minister of Israel. The political stalemate is over for the time being, and Mr. Netanyahu is not the 'King Bibi' of Israel after all. He has been outdone by the far-right political leaders who were once his loyal aides; they include Mr. Bennett, Mr. Lapid and Avigdor Lieberman. *What makes the new government unprecedented is the fact that the far-right, in order to fight its mentor Mr. Netanyahu, walked up to the left parties as well as an Arab-Islamist party of Mansour Abbas. While Israel is a strong and militarily capable state, it is also deeply divided as a society, with too many fundamental*



frictions among its Jewish population. Therefore, diverse and different ideological groups in this government can help in enabling political stability and inner-social-cohesion. The role of one Arab party in the government is much needed assurance for the otherwise marginalised and stigmatised Israeli Arabs minority. The challenge ahead is to satisfy each party's core ideological interests but not at the cost of the other so that the fickle unity can last. It demands compromise, reconciliation and acceptance of the other. Anti-Netanyahu sentiment is pivotal thus far and this will be the glue but a constructive and long-lasting common minimum programme is what the Israeli democracy is striving for after a battered past.

ETHIOPIA RESUMES FILLING DISPUTED DAM

Ethiopia has started the second phase of filling a mega-dam's reservoir on the upper Blue Nile, said Egypt and Sudan, raising tensions Tuesday ahead of an upcoming UN Security Council meeting on the issue. Both Cairo and Khartoum said they had been notified by Addis Ababa that the second phase of filling had begun at the Grand Ethiopian Renaissance Dam. Egypt's Irrigation Ministry late Monday expressed its "firm rejection of this unilateral measure" and Sudan's Foreign Ministry on Tuesday followed suit, labelling the move a "risk and imminent threat". In Addis Ababa, the offices of Prime Minister Abiy Ahmed and Irrigation Minister Seleshi Bekele did not immediately respond to AFP's requests for comment. *The huge dam, set to be Africa's largest hydroelectric project when completed, has sparked an almost decade-long diplomatic stand-off between Addis Ababa and downstream nations Egypt and Sudan.* Ethiopia says the project is essential to its development, but Cairo and Khartoum fear it could restrict their citizens' water access. Both governments have been pushing Addis Ababa to ink a binding deal over the filling and operation of the dam, and have urged the UN Security Council to take up the matter. Addis Ababa had previously announced it would proceed to the second stage of filling in July, with or without a deal.

PRESIDENT'S KILLING PUSHES HAITI INTO FURTHER TURMOIL

Jovenel Moïse, Haiti's 53-year-old President, was assassinated at his private residence in Port-au-Prince early on Wednesday by unidentified gunmen, pushing the Caribbean nation, already battered by months-long protests, economic miseries and the COVID-19 outbreak, into further chaos.

What do we know?

Haiti's interim Prime Minister Claude Joseph announced on Thursday that Moïse was assassinated at his home and the First Lady, Martine Moïse, was injured. He said some of the attackers spoke Spanish, indicating that foreign mercenaries were involved. Haiti is a French- and Creole-speaking country. Mr. Joseph has not offered any more details. According to local media, Moïse's body had been riddled with 12 bullets. Police chief Leon Charles said four suspects had been killed in a gun battle and the police were chasing others, but he has not disclosed the identity of the suspects nor has he offered any evidence linking them to the plot. It remains a mystery how the attackers, whoever they were, walked to a presidential residence, shot him dead, and then walked out freely.



Who was Jovenel Moïse?

Moïse, a former banana plantation manager who called himself “Banana Man”, rose to political fame when he contested the 2016 presidential election. He came to Port-au-Prince, the capital of the Caribbean country, from the countryside and presented himself as an outsider who could fix the nation’s politics and economy. *Haiti, the world’s first independent Black-led republic, after slaves successfully revolted against Napoleon Bonaparte’s forces in 1803, has a long, painful history of foreign interventions, coups, dictatorships and not-so-successful democratic experiments.* In 2010, the country was battered by a devastating earthquake that killed at least 300,000 people. Moïse promised a new beginning by strengthening institutions and ending corruption, and won the 2016 election in the first round itself. But under his administration, the political and economic situation in Haiti deteriorated further.

Why was Moïse targeted?

While the motive of the assassination is not clear yet, Moïse was at the centre of a turmoil that had engulfed Haiti over the past many years. *Moïse was elected President in November 2016. The presidential election was scheduled to be held in 2015, but was postponed several times amid unrest. Former President Michel Martelly, whose term expired on February 7, 2016, stepped down without a clear successor. Moïse could not take office until February 7, 2017, as his 2016 election was marred by allegations of fraud and protests.* According to Haitian Constitution (Article 134-1), “The duration of the presidential mandate is five years. This period begins and ends on February 7, following the date of elections”. *Opposition leaders claimed that Moïse’s five-year term ended on February 7, 2021, as Mr. Martelly stepped down on February 7, 2016. But Moïse said he has one more year in office as he officially took over on February 7, 2017. This was the crux of the crisis. As Moïse refused to step down on February 7, the Opposition called for countrywide protests. They also appointed a parallel government with Joseph Mécène Jean-Louis, a Supreme Court Judge, being the interim President.* Moïse called it a coup and arrested nearly two dozen Opposition leaders. He was largely ruling by decree as his government failed to conduct legislative elections in 2019. As Haiti fell into chaos, violence by armed gangs spread across the country. *Moïse promised that he would hold legislative and presidential elections within a year, but also took steps to rewrite the country’s Constitution. Moïse said the post of Prime Minister, which is not an elected one, wielded enormous powers, which he wanted to clip. Opposition leaders said he was also looking for removing a clause in the Constitution that bars Presidents from seeking re-election, so that he could contest again.* The political crisis was worsened by an economic contraction and the spread of COVID-19.

Who is in charge now?

According to the Haitian Constitution, the head of the Supreme Court should temporarily take over the government if the President departs abruptly. But Supreme Court President Rene Sylvestre died last month of COVID-19 and that position is still vacant. In the wake of a power vacuum, the National Assembly could select a new leader. But there is no National Assembly as elections have not been held after the last Parliament’s term expired. That leaves Mr. Joseph in charge. But there’s a problem — the late President had announced on Monday that he was replacing Mr. Joseph with Ariel Henry, a neurosurgeon with close ties to the Opposition. Mr. Henry was expected to take over as Prime Minister on Thursday. However, it is not clear whether the transition would happen amid the current crisis. Mr. Joseph has already taken control of the government, declared a state



of siege, put the military in charge of security and restricted media coverage of the incident. He says the authorities are in control. But most Haitians, including its leaders, are still in shock. The crisis has just started unfolding in the country.

S. AFRICA'S EX-PRESIDENT ZUMA JAILED AFTER LANDMARK RULING

Jacob Zuma on Thursday began a 15-month sentence for contempt of court, becoming post-apartheid South Africa's first President to be jailed after a drama that campaigners said ended in a victory for the rule of law. Zuma, 79, reported to prison early on Thursday after mounting a last-ditch legal bid and stoking defiance among radical supporters who had rallied at his rural home. *South Africa's top court on June 29 slapped Zuma with a 15-month term for refusing an order to appear before a probe into the corruption that entangled his nine years in power.* As police warned that he faced arrest from midnight Wednesday, Zuma handed himself in to a jail in the rural town of Estcourt in his home province of KwaZulu-Natal. Many South Africans hailed his incarceration as a watershed moment. Former corruption buster and ex-ombudswoman Thuli Madonsela hailed it as a "glorious day, in that it says that the rule of law prevails". If he had not gone to prison, "it would have sent shock waves to the system", she said. Investigators say that under Zuma, billions of dollars in state assets were siphoned off by cronies. Zuma had been given a deadline of Sunday night for turning himself in. Failing his surrender, police were given three days, until midnight Wednesday, to arrest him.

WHAT LIES AHEAD FOR AFGHANISTAN AFTER U.S. EXIT?

On July 2, U.S. troops departed from the Bagram Air Base that coordinated the 20-year-long war in Afghanistan, effectively ending their military operations in the country. The exit is part of President Joe Biden's plan to withdraw American troops from Afghanistan by September 11. Ever since the remaining U.S. troops began pulling out on May 1, the Taliban have made rapid territorial advances. If the Taliban had controlled 73 of Afghanistan's 407 districts before May 1, the number of districts went up to 168 in two months, according to the Long War Journal.

Why did the U.S. invade Afghanistan?

Weeks after the September 11, 2001 terrorist attacks, U.S. President George W. Bush declared war on Afghanistan. Mr. Bush said the Taliban regime had turned down his demand to hand over al-Qaeda leaders, including Osama bin Laden, who plotted the attacks. Inside Afghanistan, the NATO coalition troops led by the U.S. quickly dislodged the Taliban regime and established a transitional government. Al-Qaeda's leaders and key operatives fled to safe havens in Pakistan. In May 2003, Defense Secretary Donald Rumsfeld announced that major military operations in the country were over. The U.S. focus shifted to the Iraq invasion, while in Afghanistan, western powers helped build a centralised democratic system and institutions. But that neither ended the war nor stabilised the country.

Why is the U.S. pulling back?

The U.S. had reached the conclusion long ago that the war was unwinnable. Presidents, starting with Barack Obama, had promised to bring American troops back home from Afghanistan. In July 2015, the Obama administration had sent a representative to the first-ever meeting between the



Taliban and the Afghan government that was hosted by Pakistan in Murree. The Murree talks did not progress as the Afghan government disclosed after the first round that Taliban leader Mullah Omar had died two years earlier. Later, President Donald Trump appointed a special envoy for Afghanistan, Zalmay Khalilzad, with a mandate to directly negotiate with the Taliban. Mr. Khalilzad and his team held talks with Taliban representatives in Doha that led to the February 2020 agreement between the U.S. and the insurgents. In the agreement, the Trump administration promised that it would withdraw all American troops from Afghanistan by May 1, 2021. President Joe Biden endorsed the Trump-Taliban deal, but pushed the deadline for withdrawal to September 11.

What are the terms of the Trump-Taliban deal?

The February deal dealt with four aspects of the conflict — *violence, foreign troops, intra-Afghan peace talks and the use of Afghan soil by terrorist groups such as al-Qaeda and the Islamic State.* According to the agreement, the *Taliban promised to reduce violence, join intra-Afghan peace talks and cut all ties with foreign terrorist groups, while the U.S. pledged to withdraw all its troops, roughly 12,000 at the time of the signing of the agreement in February 2020, by May 1, 2021.* After the agreement was signed, the U.S. put pressure on the Afghan government to release thousands of Taliban prisoners — a key Taliban precondition for starting intra-Afghan talks. Talks between Taliban representatives and the Afghan government began in Doha in September 2020 but did not reach any breakthrough. At present, the peace process is frozen. The Taliban reduced hostilities against foreign troops but continued to attack Afghan forces even after the agreement was signed. Afghanistan also saw a series of targeted killings of journalists, activists and other civil society figures over the past many months, which the Afghan government says is a Taliban act. *Kabul maintains that the Pakistan support for the Taliban is allowing the insurgents to overcome military pressure and carry forward with their agenda.*

What does Pakistan want?

Pakistan was one of the three countries that had recognised the Taliban regime in the 1990s. The Taliban captured much of the country with help from Pakistan's ISI (Inter-Services Intelligence.) After the 9/11 attacks, Pakistan's military dictator Pervez Musharraf, under pressure from the Bush administration, cut formal ties with the Taliban and joined America's war on terror. But Pakistan played a double game. It provided shelter to the Taliban's Rahbari Shura, a group composed of their top leaders. In Pakistan, the Taliban regrouped, raised money and recruits, planned military strategy and staged a comeback in Afghanistan. The fractious Kabul government, faced with corruption allegations, incompetence, and the excesses of the invading forces, made matters easier for the Taliban. Now, when the U.S. is leaving and the Taliban are advancing, Pakistan is again in the spotlight. *A violent military takeover of Afghanistan by the Taliban may not serve Pakistan's core interests. Pakistan wants to check India's influence in Afghanistan and bring the Taliban to Kabul. But a violent takeover, like in the 1990s, would lack international acceptability, leaving Afghanistan unstable for a foreseeable future. In such a scenario, Pakistan could face another influx of refugees from Afghanistan and a strengthening of anti-Pakistan terror groups, such as the Tehrik-i-Taliban. From a strategic point of view, Pakistan would prefer the Taliban being accommodated in power through negotiations and a peaceful settlement, which would also allow Rawalpindi to stabilise its conflict-ridden western border. But it's not clear whether Pakistan has the capacity to shape the post-American outcome in Afghanistan.*



Why is India reaching out to the Taliban?

The Hindu reported in June, quoting a Qatari official, that India made contacts with the Taliban in Doha. New Delhi has not denied reports of its outreach to the Taliban. This signals a late but realist acknowledgement from the Indian side that the Taliban would play a critical role in Afghanistan in the coming years. *India has three critical areas in dealing with the Taliban. One, protecting its investments, which run into billions of rupees, in Afghanistan; two, preventing a future Taliban regime from being a pawn of Rawalpindi; three, making sure that the Pakistan-backed anti-India terrorist groups do not get support from the Taliban.* In the past, India chose not to engage the Taliban and the costs were dear when the Taliban was in power. This time, New Delhi seems to be testing another policy.

Is the Afghanistan government doomed?

The American intelligence community has concluded, according to TheWall Street Journal, that Kabul could fall within six months. None of the U.S. military and political leaders, from General Austin Miller to President Biden, is certain about the survival of the Afghan government. When Mr. Biden was asked this question on Friday, he didn't say that the government would survive, but said, "They have the capacity to sustain the government". One thing is certain — *the American withdrawal has turned the balance of power in the battleground in favour of the Taliban.* They are already making rapid advances. So, there could be three scenarios, according to experts. One, there could be a political settlement in which the Taliban and the government agree to some power-sharing mechanism and jointly shape the future of Afghanistan. As of now, this looks like a remote possibility. Two, an all-out civil war may be possible, in which the government, economically backed and militarily trained by the West, holds on to its positions in key cities and the Taliban expand its reach in the countryside, while other ethnic militias fight for their fiefs. This is already unfolding. A third scenario would be of the Taliban taking over the country. Any nation planning to deal with Afghanistan should be prepared for all three scenarios.

DreamIAS



NATION

FRENCH JUDGE TO PROBE RAFALE DEAL

A French judge has been tasked with investigating the controversial 2016 multi-billion-dollar sale of Rafale fighter jets to India on “corruption” suspicions, the national financial prosecutors’ office (PNF) said on Friday. The decision once again puts the spotlight on the role of the Anil Ambani-headed Reliance Group which is an offset partner to Dassault Aviation, manufacturer of the Rafale, in the €7.8-billion deal. According to French investigative website Mediapart, the judicial investigation was formally opened into the Inter-Governmental Agreement on June 14 following a decision by the financial crimes branch of PNF. The deal has faced several questions in the past pertaining to allegations of corruption, favouritism and deviations in procedure. Mediapart’s investigation has also made new revelations regarding Reliance Group’s role in the deal. The report states that the first MOU between Dassault and Reliance was signed just weeks before the surprise announcement on the direct purchase of 36 jets was made. The PNF had initially refused to investigate the sale, prompting Mediapart to accuse it and the French Anti-corruption Agency of “burying” suspicions surrounding the deal. In April, Mediapart claimed that “millions of euros of hidden commissions” were given to a go-between who helped Dassault conclude the sale, of which “some... could have been given as bribes” to Indian officials. Dassault retorted that no wrong-doing was flagged in the group’s audits. After the reports, France’s Sherpa NGO, which specialises in financial crime, filed an official complaint for “corruption” and “influence peddling” among other accusations, prompting an investigating magistrate to be designated to probe the deal.

Role of Anil Ambani

“Documents seen by Mediapart show that Dassault and Reliance had in fact signed their first MoU — a document setting out broad outlines of an agreement — on March 26, 2015. That was 15 days before Mr. Modi’s announcement of the turnaround, and the exclusion of Hindustan Aeronautics Limited [HAL], and begs the question as to whether the two companies had been informed of it in advance,” the report states. The MoU which was signed at a time when Dassault was still in talks with HAL under the earlier deal, was for a possible joint venture between the two companies. Following the deal, Dassault and Reliance created a Joint Venture (JV) in 2017 Dassault Reliance Aerospace Limited (DRAL) for discharging the offsets. Revealing the details of the partnership, the report, citing documents accessed, states that Dassault provided Reliance “with remarkably generous financial terms for the establishment of their JV.” Stating that ordinarily partners in a jointly owned subsidiary would provide equal funds for its capital. But that was not the case with DRAL. “The two partners agreed a maximum investment in the subsidiary of 169 million euros. Of that sum, Dassault, which held a 49% stake in DRAL, pledged to provide up to 159 million euros, representing 94% of the total, while Reliance would provide just the remaining €10 million.” While Reliance brought neither funds nor know-how of any significance to the joint venture, it did bring its capacity for political influence. In an extract from one of the documents obtained by Mediapart detailing the agreements between Reliance and Dassault, Anil Ambani’s group was handed the mission of “marketing for programs and services with the GOI” – the acronym for “government of India”, the report added. Sherpa had already asked for an investigation into the deal in 2018, but the PNF took no action. In this first complaint, the NGO had denounced the fact that Dassault chose



Reliance Group as its Indian partner, a conglomerate headed by billionaire Anil Ambani, who is close to Prime Minister Narendra Modi.

A DEATH FORETOLD

It was a death his well-wishers feared would happen and one he had anticipated. Father Stan Swamy, an 84-year-old Jesuit priest, known for his service and activism in the cause of Adivasis, died nine months into his unjust imprisonment on tenuous charges. A death that was simply allowed to happen despite being foretold by his deteriorating health in prison will weigh on the country's collective conscience for long. His age and frailty drew no sympathy from either the prosecuting agency or the trial court, which clung to the state narrative of there being grounds to believe that he was part of a Maoist plot to overthrow the government. *Despite being a fit case for bail, he was denied bail, mainly due to the statutory bar on bail under the anti-terrorism law invoked against him.* The best the diffident judiciary could do for him was a spell of hospitalisation, even as the octogenarian pleaded that he be given interim bail to be with his friends or allowed to die in prison. The Bombay High Court did issue notice on his bail petition, observing that he was entitled to bail, but his end came in a hospital even before the matter could be taken up for final disposal. *Much of the blame and accountability for his death should be on the NIA, which perversely opposed his release, and the court which could have granted interim bail weeks earlier.* It was fairly obvious that his prison stay, especially during the pandemic, was detrimental to his well-being. A good two months elapsed between the High Court seeking the NIA's response to his bail plea on medical grounds and his death. The same court had intervened to grant interim bail to Varavara Rao, another elderly co-accused, holding that bail can be granted "purely on the grounds of sickness, advanced age, infirmity and health conditions", especially if incarceration amounted to endangering life. It is systemic and institutional failure that another undertrial placed in similar circumstances did not get the benefit of this humane approach. A pattern of institutional oppression can be seen in the events, from the denial of a sipper in jail to his death while in custody. Two larger issues here are the questionable legality of the bail-denying feature of the Unlawful Activities (Prevention) Act and the validity of the Bhima-Koregaon case itself. It is time the higher judiciary examined these; especially the attempt to link a simple case arising out of violence a day after the Elgar Parishad, a commemorative event held in Pune, and an alleged Maoist plot involving lawyers, activists and human rights defenders. *To make matters worse, credible reports that some of the electronic evidence gathered in this case could have been planted remotely by malware were never investigated.* The call for accountability for Fr. Swamy's death rings painfully true.

His life in a nutshell

For many, Fr. Swamy will be remembered as an inspiration. *A Jesuit priest, he chose to make the upliftment of marginalised communities in Jharkhand his life's work.* He lived and worked in a single room, prolifically writing (over 70 books are credited to him) on dispossessed people. He was an activist for most of his life, and used the legal system to fight for the rights of those who were being unfairly targeted, and thought that the Constitution would help in securing justice, even moving the Jharkhand High Court in a public interest litigation on undertrials. When doing all of this, surely, he would never have imagined that his fate would be decided by the very system he used and believed in. *It started in August 2018, when the Pune police raided Fr. Swamy's single-room*



home, seized his computer, cell phone, books and some classical music cassettes. Another raid took place in June 2019. Finally, on October 8, 2020, Fr. Swamy was arrested by the National Investigation Agency (NIA), under the Unlawful Activities (Prevention) Act (UAPA), the 16th to join a roster of professors, activists, writers, and public intellectuals, as a suspect in the Bhima-Koregaon case. Fr. Swamy, aged over 80, remained an accused, in the custody of the state, till his death. Besides being arrested for what many believe to be improbable causes, and being possibly the oldest person ever accused of terrorism in India, the most tragic story is how his detention was handled by the state, by the police and worst of all, by the courts. *Fr. Swamy was arrested on flimsy evidence of some propaganda material and communication with other activists in the field, such as Sudha Bharadwaj and Varavara Rao, who were also arrested for similar charges.* The authenticity of some of the allegedly indicting documentation, including a key report, has been *questioned by international forensic data experts.* But the state defended its arrest arguing that these issues must be gone into only during trial, and that the accused — i.e., Fr. Swamy — should remain in jail until then.

RELEASE BHIMA KOREGAON CASE ACCUSED

All 15 co-accused in the Bhima Koregaon case should be released pending trial, said the United Nations Human Rights chief Michelle Bachelet on Tuesday, as she expressed concern over *the death of 84-year-old Jesuit priest and tribal rights activist Stan Swamy in custody.* The statement from the Office of the High Commissioner for Human Rights (OHCHR) said Ms. Bachelet was “disturbed” and “saddened” by the news of the death of the activist, and called on the Indian government “to ensure that no one is detained for exercising their fundamental rights to freedom of expression, of peaceful assembly and of association”. This follows *similar concerns from the U.N. Special Rapporteur on Human Rights Defenders and the European Union (E.U.) Human Rights Chief on Monday.* “High Commissioner Michelle Bachelet and the U.N.’s independent experts have repeatedly raised the cases of Father Stan and 15 other human rights defenders associated with the same events with the government of India over the past three years and urged their release from pre-trial detention,” said the statement issued by the OHCHR spokesperson. In written responses to queries from The Hindu, OHCHR spokesperson Liz Throssel said Ms. Bachelet had raised the cases both privately and publicly on “numerous occasions” including in a statement on “shrinking of civic space in India” last November. The U.N. Special Rapporteurs have also raised the issue of human rights defenders in a couple of communications to the Indian government, and are expected to release another update on the issue next month.

NEW PLATFORM MAPS PEGASUS SPREAD

An online database on spyware Pegasus’ use was recently launched by Forensic Architecture, Amnesty International and Citizen Lab to document attacks against human rights defenders. In a statement on July 3, Amnesty said the interactive platform — Digital Violence: How the NSO Group Enables State Terror — showed *the connections between ‘digital violence’ of Pegasus spyware and the real-world harms faced by lawyers, activists, and other civil society figures.* Amnesty said the NSO Group, which makes the spyware, was a “major player in the shadowy surveillance company” and Pegasus had been used in some of the “most insidious digital attacks” on human rights activists in the world. *The spyware enabled an attacker to get complete access to a person’s phone,* it stated. “The investigation reveals the extent to which the digital domain we inhabit has become

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the new frontier of human rights violations, a site of state surveillance and intimidation that enables physical violations in real space,” said Shourideh C. Molavi, Forensic Architecture’s researcher in charge.

Bhima Koregaon case

The platform, available at digitalviolence.org, lists out “targets” of the spyware in India that include activists Bela Bhatia and Anand Teltumbde. In 2020, Amnesty and Citizen Lab revealed that the spyware was used on nine human rights defenders who were accused in the Bhima Koregaon case. “The spyware campaign... targeted lawyers and activists Nihalsing B. Rathod, Degree Prasad Chouhan, Yug Mohit Choudhary and Ragini Ahuja; academics Partho Sarothi Ray and P.K. Vijayan; a journalist who prefers to stay anonymous; and a human rights collective – Jagdalpur Legal Aid Group (JAGLAG), received malicious e-mails on the group’s official ID,” a blog post by Amnesty on June 15, 2020, said.

UNDEAD SECTION

It is quite disconcerting that the Supreme Court has been informed for the second time in two years that Section 66A of the IT Act, which was struck down as unconstitutional six years ago, is still being invoked by the police and in some trial courts. One can see why the Court deemed it “a shocking state of affairs” when a petition by the People’s Union for Civil Liberties (PUCL) came up for hearing. Section 66A made messages deemed by the police to be offensive or menacing to anyone, or those that caused “annoyance”, a criminal offence if these were sent through a computer or computer resource. It prescribed a prison term of up to three years on conviction. In its landmark judgment in Shreya Singhal (2015), the Court ruled that the provision was vague and violated the freedom of free speech. It was so broadly defined that it took into its sweep protected speech also, and therefore upset the balance between the exercise of the free speech right and the imposition of reasonable restrictions on it. In January 2019, too, the Court’s attention was drawn to the same problem of the invalidated provision being used by the police to register cases based on complaints. Not much seems to have changed since then, and it is quite surprising that the police headquarters and prosecutors in the various States had not disseminated the effect of the Court ruling among officers manning police stations. There were also instances of courts framing charges under Section 66A even after lawyers had cited the 2015 judgment. The PUCL has said as many as 745 cases are still pending in district courts in 11 States. It is not difficult to surmise that police officers who receive complaints and register them as First Information Reports may not be aware of the judgment, though one cannot rule out instances of the section being invoked deliberately as a tool of harassment. Ignorance of the law is no excuse for the citizen, and it must equally be no excuse for police officers who include invalidated sections in FIRs. Recently, police in Uttar Pradesh booked a journalist for defamation under Section 500 of the IPC, even though the Supreme Court has ruled that defamation can be pursued only by way of private complaints and there can be no FIR. The current hearing may result in directions to States and the police, as well as the court registries, for appropriate advisories to both station-house officers and magistrates, but it is not necessary for those concerned to wait for such orders. Police chiefs and the directorates of prosecution must proactively begin a process of conveying to the lower courts and investigators all important judgments and their effect on the practices relating to investigation, prosecution and the framing of charges from time to time.



UNIFORM CIVIL CODE OUGHT NOT TO REMAIN A MERE HOPE

Favouring the introduction of Uniform Civil Code (UCC), the Delhi High Court has said the Indian youth need not be forced to struggle with issues arising due to conflicts in various personal laws in relation to marriage and divorce. The modern Indian society was “gradually becoming homogenous, the traditional barriers of religion, community and caste are slowly dissipating” and thus UCC “ought not to remain a mere hope”, Justice Prathiba M Singh stated in an order dated July 7. “The youth of India belonging to various communities, tribes, castes or religions who solemnise their marriages ought not to be forced to struggle with issues arising due to conflicts in various personal laws, especially in relation to marriage and divorce,” the order said.

Shah Bano reference

While referring to several decisions of the Supreme court on the need for UCC, including the historical Shah Bano case of 1985, the court said: “The hope expressed in Article 44 of the Constitution that the State shall secure for its citizens Uniform Civil Code ought not to remain a mere hope.” The High Court observed that the need for UCC was reiterated from time to time by the Supreme Court, however, “it is unclear as to what steps have been taken in this regard till date”. It directed that a copy of the order be communicated to the Secretary, Ministry of Law & Justice, Government of India, for necessary action as deemed appropriate.

SC BACKS SUMMONS TO FB BY DELHI GOVT. RIOTS PANEL

The Supreme Court on Thursday upheld the authority of Delhi Assembly's Peace and Harmony Committee to summon Facebook India's senior official Ajit Mohan in connection with the February 2020 communal violence, saying the Capital can ill-afford another riot, and the role of Facebook "must be looked into" in this context. “It is difficult to accept the simplistic approach adopted by Facebook — that it is merely a platform posting third-party information and has no role in generating, controlling or modulating that information,” a three-judge Bench, led by Justice Sanjay Kishan Kaul, observed. *The 188-page judgment referred to how Facebook itself claimed to be the most popular social media platform in India, with 270 million registered users.* Social media platforms such as Facebook have become “power centres” with the ability to influence vast sections of public opinions, the court noted. These platforms are by no means altruistic in character. They employ business models that can be highly privacy intrusive. It compared Facebook to a “mass circulation media” with no or little editorial responsibility. “Facebook has acknowledged in their reply that they removed 22.5 million pieces of hate speech content in the second quarter of 2020 itself,” Justice Kaul, who authored the judgment, observed. *Facebook cannot claim any “exceptional privilege” to abstain from appearing before the Peace and Harmony Committee. The court termed Mr. Mohan's appeal “premature”, saying no coercive action was taken or intended.* The Committee merely wanted him to depose as a witness. *The court rejected Facebook's argument that the Committee had no jurisdiction over law and order in Delhi, and it was encroaching into the Centre's turf.* “The concept of peace and harmony goes much beyond law and order and police... The unfortunate communal riots led to the death of 53 persons, caused significant damage... The complexity of communal tensions and their wide-ranging ramifications is a matter affecting citizens of Delhi. It cannot be said that the Government of Delhi cannot look into the causal factors in order to formulate appropriate remedial measures,” Justice Kaul



reasoned. *The judgment said an “informed deliberation” by the Assembly’s elected representatives on the best measures to combat online mass hate and violence in their geographical jurisdiction was very much within the Committee’s competence.* However, the court said the Facebook representative appearing before the Committee need not answer any query from the Committee directly regarding law, order and the police. *The court dismissed Facebook’s argument that the Assembly ought to confine itself to making laws rather than enquire into the circumstances of the riots.* “This would be unreasonably restricting the role of an elected body... It is not only their concern but their duty to ensure that ‘peace and harmony’ prevails,” the court underscored.

RIGHT TO DISSENT

No student should be punished for exercising their right to free speech within the university space.” In an argumentative democracy, that sentence — along with much of Delhi Deputy Chief Minister and Education Minister Manish Sisodia’s letter to the Principal Secretary, Education — should be a truism, not a statement to be lauded. Yet, the fact that Minister Sisodia publicly stood up for the right of a student of Delhi’s Ambedkar University (AUD) to criticise university policies and allegedly, Chief Minister Arvind Kejriwal, is welcome. The notion that a “university should be a safe space for students to freely voice their opinion, debate and develop their points of view” has been increasingly under threat from various governments, including and especially at the Centre. And the fact that one of the top leaders of a state government has stood up for the right to free speech and dissent on campus could help guide the public conversation, both within and outside universities, back to fundamental constitutional principles and guarantees. *A final semester MA student at AUD was fined Rs 5,000 for her remarks during the online convocation ceremony attended by Kejriwal.* The high-handed manner in which this punishment was announced is of a piece with a dismal pattern that has been taking shape in universities across the country since at least 2016. That eventful year saw the suicide of Rohith Vemula at Hyderabad Central University, the labelling of students at JNU as “anti-national” for holding a political programme as well as charges of sedition being filed against some of them. During the anti-CAA protests, subsequently, the police stormed the Jamia Millia Islamia and AMU campuses and many scholars and students have been arrested under the provisions of the draconian UAPA. In all this, students and their right to disagree and dissent have been pitted against muscular and homogenising ideas of nationalism. In fact, even Sisodia’s own AAP government in Delhi gave its sanction to prosecute former JNUSU president Kanhaiya Kumar for sedition. *In this climate, Sisodia’s defence of dissent acknowledges that the university is a space where the shibboleths of nationalism, and the claims of the powerful, are up for constant challenge and review.* To maintain the campus as a site for creativity and innovation, students and scholars must be allowed to question accepted pieties and wisdom. The Delhi minister’s letter is a reminder that the state and those in society who disagree with its functionaries are not at odds. More representatives of the former — across states and at the Centre — need to stand up for the rights of the latter.

WHY A COOPERATION MINISTRY

On Monday, the government announced the formation of a separate Union Ministry of Cooperation, a subject that till date was looked after by the Ministry of Agriculture. In the Cabinet reshuffle of July 7, Home Minister Amit Shah was given charge of the new Ministry.



What will be the new Ministry's objectives?

A media release from the Press Information Bureau said *the Ministry of Cooperation will provide a separate administrative legal and policy framework for strengthening the cooperative movement in the country.* "It will help deepen Co-operatives as a true people based movement reaching upto the grassroots. *In our country, a Co-operative based economic development model is very relevant where each member works with a spirit of responsibility.* The Ministry will work to streamline processes for 'Ease of doing business' for co-operatives and enable development of Multi-State Co-operatives (MSCS)," it said. In her Budget speech, Finance Minister Nirmala Sitharaman too had mentioned the need to strengthen cooperatives.

What is the cooperative movement?

By definition, *cooperatives are organisations formed at the grassroots level by people to harness the power of collective bargaining towards a common goal.* In agriculture, cooperative dairies, sugar mills, spinning mills etc are formed with the pooled resources of farmers who wish to process their produce. *The country has 1,94,195 cooperative dairy societies and 330 cooperative sugar mill operations.* In 2019-20, dairy cooperatives had procured 4.80 crore litres of milk from 1.7 crore members and had sold 3.7 crore litres of liquid milk per day. (Annual Report, National Dairy Development Board, 2019-20). *Cooperative sugar mills account for 35% of the sugar produced in the country.* In banking and finance, cooperative institutions are spread across rural and urban areas. *Village-level primary agricultural credit societies (PACs) formed by farmer associations are the best example of grassroots-level credit flow. These societies anticipate the credit demand of a village and make the demand to the district central cooperative banks (DCCBs). State cooperative banks sit at the apex of the rural cooperative lending structure. Given that PACs are a collective of farmers, they have much more bargaining powers than an individual farmer pleading his case at a commercial bank.* There are also cooperative marketing societies in rural areas and cooperative housing societies in urban areas.

How much finances do these institutions control?

NABARD's annual report of 2019-20 counts 95,238 PACs, 363 DCCBs and 33 state cooperative banks in the country. The state cooperative banks reported a total paid-up capital of Rs 6,104 crore and deposits of Rs 1,35,393 crore, while the DCCBs' paid-up capital stood at Rs 21,447 crore and deposits at Rs 3,78,248 crore. The DCCBs, whose main role is disbursement of short-term loans to the farming sector (crop loan), distributed Rs 3,00,034 crore in loans. The state cooperative banks, which mainly finance agri-processing industries such as sugar mills or spinning mills, disbursed Rs 1,48,625 crore in loans. (Annual Report, NABARD, 2019-20). *In urban areas, urban cooperative banks (UCBs) and cooperative credit societies extend banking services to many sectors that would otherwise have found it difficult to get into the institutional credit structure.* According to Reserve Bank of India data, the country has 1,539 UCBs whose total capital in 2019-20 stood at Rs 14,933.54 crore with a total loan portfolio of Rs 3,05,368.27 crore.

What laws govern cooperative societies?

Like agriculture, cooperation is in the concurrent list, which means both the central and state governments can govern them. A majority of the cooperative societies are governed by laws in their respective states, with a Cooperation Commissioner and the Registrar of Societies as their



governing office. *In 2002, the Centre passed a MultiState Cooperative Societies Act that allowed for registration of societies with operations in more than one state.* These are mostly banks, dairies and sugar mills whose area of operation spreads across states. *The Central Registrar of Societies is their controlling authority, but on the ground the State Registrar takes actions on his behalf.*

Why was the new Ministry necessary?

Sanjiv Babar, former managing director of Maharashtra State Federation of Cooperative Sugar Mills, said it was necessary to restore the importance of the cooperative structure in the country. *“Various studies conducted by institutions like Vaikunt Mehta Institute of Cooperative Management have shown the cooperative structure has managed to flourish and leave its mark only in a handful of states like Maharashtra, Gujarat, Karnataka etc. Under the new Ministry, the cooperative movement would get the required financial and legal power needed to penetrate into other states also,” he said. Cooperative institutions get capital from the Centre, either as equity or as working capital, for which the state governments stand guarantee.* This formula had seen most of the funds coming to a few states such as Maharashtra, Gujarat, Karnataka while other states failed to keep up. Over the years, the cooperative sector has witnessed drying out of funding. Babar said that under the new Ministry, the cooperative structure would be able to get a new lease of life.

To what extent does the cooperative structure influence state and national politics?

Cooperative institutions, be it the village-level PACS or the urban cooperative housing societies, elect their leaders democratically, with members voting for a board of directors. Thus, in states such as Maharashtra, cooperative institutions have served as schools for development of leadership. In Gujarat, Amit Shah had headed the Ahmedabad District Central Cooperative Bank for a long time, Babar observed. In the present Maharashtra legislature, there are at least 150 legislators who have had some connection with the movement. NCP chief Sharad Pawar and Deputy Chief Minister Ajit Pawar had started their respective political careers by contesting cooperative elections. The movement has given the state multiple Chief Ministers as well as ministers, many of whom have gone on to make a mark at the national level too. No matter which party is in power in a state like Maharashtra, the purse strings of the local economy always remain with the cooperative institution. Thus, when Devendra Fadnavis of the BJP was Maharashtra Chief Minister, the financial control of most cooperative institutions remained with the NCP and the Congress. The voter base of the cooperative institutions generally remains stable.

NEW PHASE

The reconstitution of the Union Council of Ministers on Wednesday was guided by both political and administrative considerations. As many as 36 new faces were inducted and 12 dropped from the council, *which now has 78 members, just three shy of the upper limit of 81. In 2014, the Bharatiya Janata Party (BJP) began its rule advertising its 45-member Council of Ministers as an attempt at minimum government, but the restraint was quietly abandoned in the following years.* The political aspirations of communities and regions are difficult to satiate in a country as vast and diverse as India. Prime Minister Narendra Modi has made an attempt to make his Council more diverse and representative, in a manner that fits his political priorities. *The new composition of the Council is in step with the BJP's relentless efforts to rope in OBC groups, Dalits and tribes people under its Hindutva umbrella politics.* This accommodation is crucial for the BJP to continue its dominance in



Uttar Pradesh, Bihar and other Hindi-speaking regions, where caste tensions are simmering. New inductions and elevations also signal a continued effort by the BJP to expand its influence to new areas such as West Bengal and the northeastern States. *Barring the continuing under-representation of Muslims, the council is impressively representative of Indian diversity.* Governance issues might have been a factor in the axing of some of the Ministers. Harsh Vardhan, Ravi Shankar Prasad and Prakash Javadekar were among those who got the marching orders, apparently for mishandling the pandemic, relations with global IT giants and governmental communication, respectively. New inductees such as Ashwini Vaishnaw and Jyotiraditya Scindia have administrative skills that could prove valuable in crucial ministries that they now head. Individual talent and accountability both can only be contextual, and in a highly centralised system they become immaterial. The Ministers must be empowered to plan and take decisions in their respective areas. The notion of collective responsibility of the cabinet must be infused with meaning. Discussions in the cabinet must be open. Proposals that come for the cabinet's consideration must go through rigorous technical vetting and wide political consultations. The recomposition was intended to enhance governance, rev up the economy and fuel the BJP's political march ahead of crucial State elections and the 2024 Lok Sabha elections. All these would be possible only if all hands are on the deck. Assembling a team is indeed a crucial task of a captain; allowing them to flourish as individuals while playing as a team is equally critical.

AMID CABINET RESHUFFLE BUZZ, EIGHT STATES GET NEW GOVERNORS

Ahead of a much-anticipated Cabinet reshuffle, the Rashtrapati Bhavan on Tuesday announced a slew of gubernatorial appointments, including that of Union Minister for Social Justice and Empowerment Thawarchand Gehlot as the Governor of Karnataka, replacing Vajubhai Vala. This was the surest sign that a Cabinet reshuffle, regularly postponed since the COVID-19 outbreak in 2020, will finally take place as early as Wednesday evening. Former MP and former BJP president of the erstwhile combined State of Andhra Pradesh K. Hari Babu was appointed the Governor of Mizoram, while senior BJP leader and former Tribal Affairs Minister in Gujarat Mangubhai Patel was named the Governor of Madhya Pradesh. Former Speaker of the Goa Assembly Rajendra Arlekar will be the Governor of Himachal Pradesh. Several Governors saw a change in States. Former Union Minister Bandaru Dattatreya has been transferred from Himachal Pradesh to Haryana, senior BJP leader from Chhattisgarh Ramesh Bais from Tripura to Jharkhand, Satyadev Arya from Haryana to Tripura, and BJP leader from Kerala P.S. Sreedharan Pillai from Mizoram to Goa. While it was a fairly extensive rejig in terms of Raj Bhavans, informed sources said the Cabinet rejig would be extensive as well. The Council of Ministers has around 28 vacancies, with only 53 of the 81 slots allowed under the Constitution occupied. Government sources said that as many as 20 new faces would be included, and in total, around 24 Ministers belonging to the Other Backward Classes would find representation in the Council of Ministers at the end of this exercise. "Among these new faces will be very young MPs, bringing down the average age of the Council of Ministers to probably its lowest since Independence," said a senior government source. Sources said equal focus would be on the professional qualifications of Ministers as well as community representation issues.



New Ministry

The government has also decided to create a separate 'Ministry of Cooperation' with the aim of 'Sahkar se Samridhi' (prosperity through cooperatives). The Ministry will provide a separate administrative, legal and policy framework for strengthening the cooperative movement in the country. It will, said government sources, "work to streamline the processes for ease of doing business for cooperatives and enable development of multi-State cooperative societies."

VACANCIES SEND A WRONG SIGNAL

The vacancies in the Central government and the States in recent years have had a deleterious effect on governance. For months on end, top slots in important government agencies remain vacant. Delays in promotions and appointments not only affect the organisations but also tend to demoralise the officials who await promotions after vacancies arise.

Posts waiting to be filled

The post of the Chairman of the National Human Rights Commission was kept vacant until June this year even though the previous Chairman, H. L. Dattu, retired in December 2020. The post of the Director of the Central Bureau of Investigation (CBI) too was kept vacant until the recent appointment of Subodh Kumar Jaiswal. The post had been vacant since February after Rishi Kumar Shukla retired. The Chief Election Commissioner (CEC), Sunil Arora, retired on April 12 amidst an aggressive election campaign and polling in West Bengal and four other States this year leaving just two members in the Commission. One of them became CEC by virtue of his seniority in the Election Commission. In case of a disagreement on any issue between the two of them, a solution would have become difficult. The Centre appointed Anup Chandra Pandey as the new Election Commissioner in June. Meanwhile, the Association for Democratic Reforms (ADR) has filed a public interest litigation in the Supreme Court demanding the appointment of Election Commissioners by a committee, as is done in the case of appointment of the Director of the CBI, and not by the Centre as is the case now. ADR has referred to the 255th Report of Law Commission that had recommended that Election Commissioners be appointed by a high-powered committee. Though the high-powered committee headed by the Prime Minister has two members – the Chief Justice of India and the Leader of the Opposition in the Lok Sabha – the Opposition leader has little say in the selection process. If the Prime Minister decides on a candidate and the CJI consents, the Opposition leader's dissenting note carries no weight. There is a need, therefore, to expand the high-powered committee to include at least two more members of eminence with proven integrity for the selection process – preferably a retired police officer and a Chief Minister of a State governed by a party other than that of the party of the Prime Minister. After Hrushikesh Senapaty's retirement in November last, the National Council of Educational Research and Training, which is largely responsible for chalking out the education policy of the country, is headless. Of the 40 Central universities across the country, nearly half are without regular Vice-Chancellors. Rakesh Asthana assumed additional charge of the Narcotics Control Bureau (NCB) from December 2019. After his appointment as Director-General (DG) of the Border Security Force in August last, he continues to hold charge of the NCB as DG. Kuldieep Singh, DG of the Central Reserve Police Force, now also heads the National Investigation Agency after the previous incumbent, Y.C. Modi, retired on May 31 last.



Impact of vacancies

Similar vacancies or examples of officers holding additional charge exist in other ministries, commissions and departments, but the government appears to turn a blind eye to the malefic effect it has on governance. Vacancies for such long periods tend to paralyse the backbone of these organisations. Appointments to higher echelons can be announced well in time. Delays in important appointments send a wrong signal to the nation. If the government can announce its chiefs and vice chiefs months in advance, there is no reason why this cannot be done in all other ministries and departments. A time frame needs to be worked out to announce top appointments at least a month in advance. Political considerations need to be pushed to the back seat for a clean and honest administration.

A.P.-TELANGANA DISPUTE OVER KRISHNA WATER INTENSIFIES

Andhra Pradesh and Telangana have intensified the dispute of sharing of the Krishna waters — particularly in the wake of works on the Rayalaseema Lift Irrigation Scheme (RLIS) taken up by Andhra Pradesh and power generation at three inter-State projects by Telangana — by shooting letters to the Ministry of Jal Shakti, the Ministry of Environment and Forests and filing contempt plea in the National Green Tribunal (NGT). Monday saw hectic activity with Andhra Pradesh Chief Minister Y.S. Jagan Mohan Reddy addressing separate letters to Union Ministers of Jal Shakti and Environment and Forests.

Contempt petition

It followed Telangana filing a contempt petition in the matter of RLIS works in the NGT Southern Zone Bench in Chennai and writing letters to the Member-Secretary of Expert Appraisal Committee (EAC) of MoEF and the Krishna River Management Board (KRMB). In his letter to Jal Shakti Minister Gajendra Singh Shekhawat, Mr. Reddy sought notifying the jurisdiction of the KRMB covering all off-takes of irrigation and power on common reservoirs to stop indiscriminate drawal solely for power generation by Telangana. Meanwhile, a few senior engineers in the Irrigation Department of Telangana, who spoke to The Hindu, said Mr. Reddy's letter to the MoEF amounted to openly influencing an independent committee [EAC] for taking decision in favour of Andhra Pradesh by intervening in the proceedings of the panel and instruct it to clear the project [RLIS].

PUSHKAR DHAMI SWORN IN AS UTTARAKHAND CHIEF MINISTER

Two-time MLA from Khatima in Uttarakhand Pushkar Singh Dhama was sworn in as the 11th Chief Minister of the State, along with an 11-member Cabinet, on Sunday in Dehradun. Mr. Dhama, at 45 the youngest Chief Minister yet of Uttarakhand, retained the entire team of his predecessor, Tirath Singh Rawat. Mr. Rawat quit on Friday evening ostensibly on being unable to get elected to the Uttarakhand Assembly within the constitutionally stipulated deadline of six months from the date he took over. Mr. Dhama, already an MLA, will have no such problems going ahead. The only change that Mr. Dhama made to his Cabinet was to give all Ministers a promotion to Cabinet rank. The Ministers sworn were Satpal Maharaj, Harak Singh Rawat, Bansidhar Bhagat, Yashpal Arya, Bishan Singh Chufal, Subodh Uniyal, Arvind Pandey, Ganesh Joshi, Dhan Singh Rawat, Rekha Arya and Yatishwaranand. Ms. Arya, Mr. Dhan Singh Rawat and Mr. Yatishwaranand, who were Ministers

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of State in Mr. Tirath Singh Rawat's Cabinet, have been elevated to Cabinet rank. Earlier Mr. Dhami met senior party leader and Cabinet colleague Satpal Maharaj at his residence with a bouquet of flowers amid reports that the senior leader and a few other MLAs of the BJP were sulking since Saturday as they were not happy with his election as the new leader of the BJP Legislature Party in Uttarakhand.

Visits predecessors

He also paid courtesy visits to his predecessors, Tirath Singh Rawat, Trivendra Singh Rawat and B.C. Khanduri, at their residences. He takes over the reins at a time when Uttarakhand has just a few months to go for the Assembly election, due early next year. Mr. Dhami is not only the youngest Chief Minister of the State, but also an appointment from Kumaon to the top post. He has worked his way in the BJP hierarchy first in student politics with the Akhil Bharatiya Vidyarthi Parishad (ABVP), the student wing of the Rashtriya Swayamsevak Sangh (RSS), in 1990. He was the officer on special duty to his political mentor and former Chief Minister Bhagat Singh Koshyari when the latter held the post he is holding now. In Mr. Dhami's elevation, clearly an attempt is being made to strike the right caste and regional balance in Uttarakhand, as State BJP chief Madan Kaushik is a Brahmin from the Garhwal region and having a Thakur leader from Kumaon as the Chief Minister is being seen as a good move.

BENGAL PASSES RESOLUTION TO SET UP COUNCIL

The West Bengal Assembly on Tuesday passed a resolution to set up Legislative Council with a two-thirds majority. While 196 favoured, 69 opposed the resolution moved by Minister of Parliamentary Affairs Partha Chatterjee under Article 169. Senior Minister Subrata Mukherjee and Deputy Chief Whip Tapas Roy spoke in favour of it. The BJP legislators voted against it. Leader of the Opposition Suwendu Adhikari said the passage of the resolution does not mean that the Council has come into existence. "Under *Article 169*, Parliament will have to provide for creation of the Council. This means that it has not been created," Mr. Adhikari said. Chief Minister Mamata Banerjee had announced the setting up of the Council during the run-up to the Assembly polls.

JUDGE RECUSES FROM CASE ON NANDIGRAM, IMPOSES RS 5 LAKH COST ON MAMATA BANERJEE

Justice Kausik Chanda Wednesday recused from hearing the petition filed in the Calcutta High Court by West Bengal Chief Minister Mamata Banerjee challenging the Assembly poll result in Nandigram, but imposed a cost of Rs 5 lakh on her for "calculated psychological offensives and vilification adopted to seek recusal". On June 24, the single-judge Bench of Justice Chanda had reserved its order on Banerjee's plea seeking his recusal and pointing to the "likelihood of bias" on the part of the judge given his association with the BJP during his time as a lawyer. In his order, Justice Chanda said he was recusing from the case to prevent "trouble-mongers" from creating "newer controversies". "It is preposterous to suggest that a Judge having a past association with a political party as a lawyer should not receive a case involving the said political party or any of its members. The past association of a Judge with a political party by itself cannot form apprehension of bias. This proposition, if allowed to be accepted, would be destructive to the long-lived and deep-rooted notion of neutrality associated with the justice delivery system and lead to the unfair



practice of Bench hunting to resist a fair adjudication by an unscrupulous litigant,” Justice Chanda wrote in the order. The order stated that the cost imposed on the petitioner should be deposited with the Bar Council of West Bengal within two weeks and the amount used for families of advocates who had died of Covid. On May 2, Banerjee was defeated by BJP rival Suvendu Adhikari, who went on to become Leader of Opposition, by 1,956 votes in Nandigram. On May 21, she filed a petition with the High Court for re-evaluating the result. On June 16, Banerjee, through her advocate, wrote to Chief Justice (Acting) of Calcutta High Court Rajesh Bindal to reassign the case to another bench. In his order Wednesday, Justice Chanda said: “I have no personal inclination to hear out the case of the petitioner. I had no hesitation in taking up the case, either. It is my Constitutional obligation and duty to hear out a case assigned to me by the Hon’ble Chief Justice neutrally and dispassionately. I have, however, decided to recuse myself from this case for a different reason.” The order stated: “Since the two persons involved in this case belong to the highest echelon of State politics, in the name of saving the judiciary, some opportunists have already emerged. These trouble-mongers will try to keep the controversy alive and create newer controversies.” It stated: “The trial of the case before this Bench will be a tool to aggrandise themselves. It would be contrary to the interest of justice if such unwarranted squabble continues along with the trial of the case, and such attempts should be thwarted at the threshold. The hearing of the case should proceed seamlessly, like any other litigation before this Court.” During the hearing on June 24, Abhishek Manu Singhvi, counsel for Banerjee, had provided reasons for the petitioner’s apprehension of bias, and submitted that Justice Chanda has been “closely associated with BJP”, had been the head of the legal cell of the party, and had appeared for the BJP as a lawyer in various cases. On Wednesday, Justice Chanda said that when the election petition was first taken up for hearing on June 18, “quite surprisingly, nothing regarding recusal was revealed. No clue was given to me as to the fact that the petitioner had already approached the Hon’ble Acting Chief Justice for reassignment of the petition”. He said: “In the course of hearing of the case, I repeatedly asked Mr Singhvi as to the reason for such suppression on the first date of hearing... He submitted that it would not have looked nice to allege apprehension of bias on the said date without an affidavit being filed... This apparently attractive submission of Mr Singhvi really does not jibe with the series of incidents that immediately followed after the Court proceeding was complete.” He said: “If a lawyer appears in several cases for a political party, his association with the legal cell of the party or with its leaders is natural... Like any other citizen of the country, a Judge also exercises his voting rights in favour of a political party, but he lays aside his individual predilection while deciding a case.”

BENGAL TEACHERS UNHAPPY WITH UGC’S ‘NEW VERSION OF HISTORY’

The University Grants Commission’s new curriculum framework for history in undergraduate classes has come under criticism from teachers in West Bengal for being excessively “Hindu and Hindi”. “The emphasis is on what is known as the Indic culture, which is their way of saying that India is home to Hinduism, Buddhism and Jainism and therefore implying — though not saying so in as many words — that Islam is alien,” Prof. Kingshuk Chatterjee, who teaches history in the University of Calcutta, told The Hindu.



No mention of Akbar

*The proposed syllabus, to the surprise and amusement of many teachers, makes no mention of Emperor Akbar and largely depicts Mughals as people resisted by the Rajputs and the Marathas. It uses the term "Indus Saraswati Civilisation", in place of Indus Valley Civilisation; **emphasises on the Vedas and seeks to educate students on, among other things**, "Indian perception of Dharma and Darshan" and "Science and Technology in Ancient India". The module on the 'Glory of Indian Literature', they pointed out, makes no mention of the Arthashastra or Charaka Samhita while the module on the 'History of Communication in India' recommends the examples of "Narada, Krishna, Buddha, Shankar, Vivekananda and Gandhi". **"When the BJP came to power the first time (under Prime Minister Atal Bihari Vajpayee), there was an attempt to tinker with the school syllabus. This is the first time there is an attempt to saffronise college textbooks,"** said Prof. Chatterjee, adding that it was not mandatory for States to accept this syllabus. The biggest irritant for teachers in West Bengal is the **inclusion of a large number of Hindi books in the lists of 'suggested readings' for each paper. Books by well-known historians such as Irfan Habib and R.S. Sharma are conspicuous by their absence.** "[The Hindi books] would be completely useless in non-Hindi-speaking States. **And many of these are hardly of any calibre and cater to a particular political line of argument,"** said Prof. Chatterjee.*

'More into mythology'

Prof. Ashis Das, who teaches history at Rabindra Bharati University, agreed. "You may or may not agree with Irfan Habib's approach to history, or you may want to include another point of view, but **the authors of these Hindi books are not even historians — they are more into mythology.**"

HOW CHHATTISGARH HAS STALLED A HISTORIC JUDGMENT

Ten years ago, on July 5, 2011, Justices B. Sudershan Reddy and S.S. Nijjar delivered a historic judgment banning Salwa Judum, a vigilante movement started in 2005 and sponsored by the Chhattisgarh and Central government, ostensibly to fight against the Maoists. The judges also ruled that the use of surrendered Maoists and untrained villagers in frontline counter-insurgency operations as Special Police Officers (SPOs) was unconstitutional. It directed that the existing SPOs be redeployed in traffic management or other such safe duties. Other matters, especially prosecution of security forces and others involved in human rights violations, and rehabilitation of villagers who had suffered violence, were left pending, since the State had been asked to submit comprehensive plans for this. Ten years on, nothing has been done to implement the judgment. Instead, the State government has merely renamed the SPOs. They are now known as the District Reserve Guard (DRG). Conversations with DRG members have revealed that most of them are captured or surrendered Maoists and are given automatic weaponry as soon as they join the police force. Some of them get one-three months of training, and some not even that. They commit the most excesses against their former fellow villagers, suffer the most casualties in any operation, and are paid much less than the regular constabulary, all the reasons the judges had outlawed their use. A contempt petition filed in 2012 is still awaiting hearing. Although 'final hearings' commenced in December 2018 before another bench of Justice Madan Lokur and Justice Deepak Gupta, the judges retired soon thereafter and there has been no hearing since.



LITERACY, NUMERACY MISSION DEADLINE PUSHED TO 2027

The Centre's new mission to ensure that every Class 3 child has foundational literacy and numeracy within five years will be rolled out on Monday. Although the National Education Policy had included a 2025 deadline to achieve the goal, the Centre has pushed back the target date to 2026-27, given that COVID-19 has already disrupted two academic years. *The School Education Department says no additional funding is being allocated for the National Initiative for Proficiency in Reading with Understanding and Numeracy (NIPUN Bharat)*. Instead, money is being allocated from the flagship Samagra Shiksha scheme, which actually saw a 20% drop in its budget this year. *"The vision of NIPUN Bharat Mission is to create an enabling environment to ensure universal acquisition of foundational literacy and numeracy, so that every child achieves the desired learning competencies in reading, writing and numeracy by the end of Grade 3, by 2026-27,"* said an Education Ministry statement, adding that a five-tier implementation mechanism will be set up at the national, State, district, block and school levels. NIPUN Bharat is likely to emphasise goal setting and accountability for State governments, and provide guidelines for teacher training, assessment and the creation of printed resources, according to people who helped develop the mission. "It will be funded through Samagra Shiksha itself," said a senior official of the School Education Department, confirming that there is no additional allocation being made. "Samagra Shiksha is an umbrella scheme, and this year it has been revised. According to that revision, a provision has been kept for FLN (foundational literacy and numeracy)," added the official. For 2021-22, the budget estimate for Samagra Shiksha was ₹31,050 crore, a 20% drop from the previous year's estimate of ₹38,750 crore, although the revised estimate for 2020-21 was just ₹27,957 crore, with poor utilisation due to COVID-19 disruptions. Central Square Foundation, a non-governmental organisation with a focus on foundational literacy and numeracy, has provided inputs and technical support to the Centre in the development of this mission. "We estimated that achieving the goal would cost about ₹500 per child per year, amounting to an annual cost of about ₹2,200-2,300 crore nationwide," said CSF's co-managing director Bikkrama Daulet Singh. Rukmini Banerji, CEO of the Pratham Education Foundation, also provided feedback on the Centre's draft plan. She emphasised that money would not be the decisive factor, but rather a mindset change. "So far, the goal has simply been to enrol children in school, and then to ensure that they finish Class 10. This mission specifies stage-wise learning goals to ensure that students are acquiring the necessary building blocks," she said.

DILIP KUMAR

As tributes tumble out at the passing of Dilip Kumar — with Amitabh Bachchan going so far as to declare that when the history of Indian cinema will be written, it shall always be "before Dilip Kumar and after Dilip Kumar" — we shall leave it to the film critics and the serious student of Hindi cinema to assess his impact on the Hindi film industry. For now, let us see him as the man who always chose to step up and speak up. When the moment came to speak truth to power, here was a superstar who chose not to be content with his superstardom but to put it good use, as and when required. *Born as Mohammad Yusuf Khan in Peshawar in 1922 in the home of a fruit merchant, he went on to enjoy a career in the movies spanning five decades, blessed with a longevity enjoyed by few of his contemporaries.* Not content with mere stardom, Dilip sahib was possibly among the earliest Indian actors to lend his star status to a variety of causes — *an early patron of the National*



Association for the Blind (NAB) who never missed its annual fund-raising train run, he chose to lend his name and face to charitable institutions such as this and the Ali Yavar Jung Institute of Speech and Hearing in Bandra rather than modelling for commercial gain. The film lyricist and director Gulzar remembers Dilip organising donation drives and rallies during the Indo-China war that began at Mumbai's Shivaji Park, wound their way through Crawford Market and the gullies of Bhendi Bazaar, where money would be literally showered at them from rooftops, before ending at Azad Maidan. *All through the late 1950s and 1960s, Dilip Kumar, along with Sunil Dutt, also visited troops stationed at border postings for morale-boosting interactions with jawans.* Gulzar also recalls Dilip Kumar stepping up for similar interactions for the benefit of the film industry, lending his moral gravitas and serving as a bridge between actors and producers-directors. At a seminal meeting of the Indian Motion Picture Association held at Dilip Kumar's home, several landmark decisions were taken to break the impasse that gridlocked the industry: actors, it was decided, would not take on more than three films (on the floors) at a time, and the directors-producers, on their part, would prune the shift timings to more humane hours. Appointed Sheriff of Bombay (now Mumbai) in 1980, he worked for the improvement of the city's infrastructure, giving it the iconic Joggers Park, where he himself went for his early morning walks in later years. *As a Member of Parliament from the Rajya Sabha, he ploughed the MPLAD (Members of Parliament Local Area Development) fund into improving the Bandstand Promenade and the Bandra Fort area. However, it was the Bombay riots of 1992 that saw Dilip Kumar truly come into his own: turning his home into a command centre for relief work, rescuing those trapped in burning shanty towns, arranging police protection for the most vulnerable and organising food supplies for those who were going hungry for days as communal riots ravaged Bombay. He later mobilised money and legal aid for those who were unfairly detained under the draconian Terrorist and Disruptive Activities (Prevention) Act. Of course he paid a price for this. When Pakistan honored him with its highest civilian award, the Nishan-i Imtiaz in 1998, it was met with outrage in a cross-section of society, with not merely threats and abuses directed against the thespian, but regurgitation of the old "Pakistani spy" gossip by his old nemesis, the Shiv Seva.* Javed Akhtar puts it best when he says that there is a virtue that has become obsolete and that is dignity — Dilip Kumar was a personification of that virtue. "Eik tehzeeb thii jo kho gayii hai," he says, ruing a lost culture. "To be cool, happening and contemporary are on the borderline of rudeness. Decency, reserve, measure, these have become un-cool and obsolete."

YELLOW, AMBER, ORANGE, RED: HOW COLOUR-CODED SYSTEM WILL WORK DURING COVID-19 SURGE IN DELHI

Malls, markets, restaurants, pubs, and metro services will shut in Delhi if test positivity rate remains over 2% two days in a row, while partial restrictions such as odd-even in markets will set in if the rate touches 0.5%, measures that are part of the *Delhi government's colour-coded response plan to tackle any future surge in Covid cases* which was approved Friday. *While schools, colleges, and coaching institutes are already shut currently, even if they are permitted to open in the near future, a yellow alert will once again close all such educational facilities. The plan enlists separate sets of measures based on positivity rate, active cases and hospitalizations, classifying them under Yellow, Amber, Orange and Red alerts.* The Delhi Disaster Management Authority (DDMA) approved the plan in a meeting attended by Chief Minister Arvind Kejriwal, Lt Governor Anil Baijal and other senior officials and public health experts. According to the plan, *with an increase in the level of alerts, more and more sectors will come under the ambit of restrictions.* While red is the highest level of alert, most economic and social activities and public transport facilities will come

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



to a halt with the announcement of an orange alert itself. The authorities will enforce night curfew in the case of an Yellow alert, a weekend curfew will be imposed when the level of alert is raised to Orange, while there will be a complete ban public movement with the imposition of total curfew when the alert level rises to red. In the case of people entering Delhi from other states, it will be mandatory to establish that one is fully vaccinated, or a negative RT-PCR report not older than three days will have to be produced when the city is under Red alert and the incoming travellers are from states with positivity rate over 5%. Those coming from states where a new strain of Covid has been found will also have to produce vaccination or negative RT-PCR reports.

Yellow: This alert will go out if positivity rate remains over 0.5% for two consecutive days, or cumulative new positive cases (for a duration of one week) touch 1,500 cases, or average occupancy of oxygen beds in hospitals remains 500 for a week.

Amber: The city will enter the next phase of restrictions if test positivity rate remains over 1% for two consecutive days, or 3,500 new cases in a week, or average oxygen bed occupancy remaining over 700 over the course of a week.

Orange: Stricter restrictions under the orange alert will kick if test positivity remains over 2% for two straight days. It will also be sounded if the city records 9,000 cases over a week's time or the average occupancy of oxygen hospital beds remains 1,000 for seven consecutive days.

Red: If the test positivity rate breaches 5% two days in a row, or the city records 16,000 news cases in a week. It will also kick in if average occupancy of oxygen beds in hospitals remains 3,000 or above over a week.

ARUNACHAL TO ALLOW ENTRY ONLY TO VACCINATED PEOPLE

The Arunachal Pradesh government has decided to allow only vaccinated people into the State. The government has also gone in for aggressive testing for COVID-19 and inoculation, with 68% of the people aged 18 and above having received their first dose of vaccine. "We are ensuring that if anyone wishes to visit Arunachal Pradesh, he or she has to be vaccinated prior to entry," Chief Secretary Naresh Kumar told Union Home Secretary Ajay Kumar Bhalla during an online meeting on July 7. Mr. Kumar said the State had adopted a three-pronged strategy to stop the spread of the coronavirus. These were extensive tracking and testing, enforcement of pandemic-appropriate behaviour and vaccination. "Arunachal Pradesh needs an additional three lakh COVID-19 vaccines to achieve 100% coverage of beneficiaries in the 18-plus and 45-plus age groups," he said. Vaccination as a condition for entry follows the State's bid to provide incentives to people who have been reluctant to take the job. Officials in the Yazali circle of the State's Lower Subansiri district were one of the first to offer 20 kg of rice free to the 45-plus for taking the job.

Cash awards

Some districts of Manipur and Meghalaya also offered cash awards to maximise vaccination coverage. Assam, Meghalaya and Manipur linked business and salaries of employees to vaccination. While traders and commercial vehicle operators were asked to operate after vaccination or display their vaccination status for customers and passengers to decide whether or not to use their services, some frontline workers were told that their vaccination status would be



ascertained before payment of salary or wage. In Meghalaya's capital Shillong, some NGOs and a local MLA were panned for leaving out the non-vaccinated people while distributing food items to people without ration cards on July 6. The organisers of a COVID-19 relief camp in the city's Happy Valley-Madanriting had announced that rice and other essentials would be given only to vaccinated people.

FEAR OF VACCINE LURKS

Amid fears of the pandemic's third wave, administering vaccines, at least a single dose, to the maximum population remains the top priority of the government, besides improving the health infrastructure. Though a vast majority is willing to get vaccinated, a small section still remains unconvinced for a variety of reasons and are hesitant to get the jab. *The scepticism is not confined to particular strata of society or faith, but spreads across the rich and the poor, the literate and the illiterate and people practising different religions.* Corporate lawyer Sonia Abrol, a Master of Corporate and Commercial Laws from the University of California, is not convinced to take a job because of *contradictory reports on the efficacy of the vaccines and "little clarity" on their processes.* "Sometimes there are reports that a vaccine is not approved by WHO or the other is not accepted by the European Union. So which vaccine should one get? There is little clarity on the process of these vaccines. How much are you protected? Or how many variants are you protected against? The research is not conclusive. So how does one take a call? How can you play with your body? It is a big risk. I feel I am so much safer not getting vaccinated than getting vaccinated," said the 34-year-old, a resident of Sector 9A in Gurugram. Ms. Abrol, founder of law firm Sarvaya Legal, also sounded sceptical about the health infrastructure saying she was *not sure whether the vaccination centres were properly sanitised or those administering vaccines were themselves not infected.* "In a nutshell, I am being extra careful and I feel there is no better vaccine than staying home and staying unexposed," summed up Ms. Abrol.

Implausible explanation

Panipat-based RTI activist P.P. Kapoor said that COVID-19 was a "big mystery" for him and seemed to be *a weapon to trample the rights of the workers and distract people's attention from the real issues and government's failures.* Not willing to take the jab, Mr. Kapoor argued that the number of COVID-19 cases rose and then went down without any plausible explanation. He added that even taking a vaccine does not guarantee full protection. Maths post-graduate Rekha, a resident of Rohtak, said her husband, a civic body employee, and in-laws took the vaccine, but she was reluctant to take it. "I know people who got infected after taking the jab. Also, even a little overdose of vaccine can be harmful and so I am scared to take it. It also causes fever for a few days," said Ms. Rekha. The 32-year-old said she had already got infected and recovered and was now confident that there was no need for vaccine.

Lack of faith

All India Mewati Samaj president Ramzan Chaudhary, a resident of Nuh, said that none in his village sewaka had got the jab except his family. "We are soon going to hold a special camp in our village to get people vaccinated. When I spoke to the fellow villagers to find out the reasons for not getting vaccinated, they told me that they feared that the vaccine *might cause impotency and was anti-Islam.* Many feared long-term harmful effects. We made them speak to Muslim doctors



and muftis to address their fears and concerns. There is widespread lack of faith against the vaccine in the villages in Nuh, despite the best efforts of the administration,” said Mr. Chaudhary. Namita Jaggi, Chairperson of Lab services and Infection Control and Chief Education and Research, Artemis Hospital said that vaccines against COVID-19 prevented severe disease and deaths and was the only tool for ending the pandemic. “There is still widespread hesitancy fuelled by misinformation and mistrust. People, especially in rural areas, believe that *vaccine will cause impotency*, serious side effects and could even kill. *Many female patients come to hospital and ask questions like if the vaccine would disrupt their menstrual cycle or could reduce their fertility*. Even after getting appropriate answers, they do not take the vaccine. We know from psychology research and practical observations why people hesitate to vaccinate across all the countries. There are five universal reasons called *5C Model -- vaccine confidence, vaccine complacency, constraints, collective responsibilities and calculation*,” Dr. Jaggi added.

Urban disease

“People do not have *confidence* in the safety of the vaccine and mistakenly believe that it can cause life-threatening adverse reactions when no clear cut causality to vaccines has been proven. There is vaccine *complacency* among the community that they do not need to vaccinate because they will not catch the virus, especially in rural areas where people still believe this virus cannot catch them as they do not eat junk food and work in fields. According to them, this is an “urban area disease”. Then there are *constraints* like concerns about cost, time, I’m too busy, I’ve got a stressful life, or I work all day and where is the time to take the vaccine. Sometimes logistics are difficult. The fourth C is a *collective responsibility* which is all about if everybody else vaccinates, then I do not need to. The last and fifth C is *calculation*, where people do extensive research about the vaccine, read a thousand articles and weigh the benefits and still remain unsure about getting the jab,” explained Dr. Jaggi. She said the pandemic had been an infodemic with information thrust upon people from various sources, not fully researched or checked for authenticity. “Just as a jab inoculates a harmless form of the virus in order to avoid a severe disease in case we are exposed to it, an inoculation of a clear and transparent message would prevent vaccine hesitancy in individuals if they come into contact with misleading false information,” said Dr. Jaggi.

PREGNANT WOMEN ELIGIBLE FOR VACCINATION

Pregnant women in India are now eligible to get vaccinated against COVID-19 with the Union Health Ministry giving the approval based on recommendations of the National Technical Advisory Group on Immunisation (NTAGI). *The decision empowers pregnant women to make an informed choice on taking the COVID-19 vaccination*, the Ministry said, adding *these women can now register on CoWIN or walk into the nearest vaccination centre to get themselves inoculated*. The decision has been communicated to all the States and Union Territories. *Studies have shown that COVID infection during pregnancy may result in rapid deterioration of health of pregnant women and they are at an increased risk of severe diseases and it might affect the foetus too*, a statement from the Ministry said.



CHALLENGING NEGATIVE SOCIAL NORMS (THE AUTHOR IS REPRESENTATIVE, UNFPA INDIA AND COUNTRY DIRECTOR, UNFPA BHUTAN)

In these troubled times of the COVID-19 pandemic, the *World Population Day on July 11* brings some positive news — *India has entered a demographic sweet spot that will continue for another two to three decades. Half of India's population is under 29 years of age, which means that in this period, a greater proportion of young people will drive India's economic growth and social progress.* So, they must not only be healthy, knowledgeable and skilled but must also be provided with the rights and choices to develop to their fullest potential, including, and especially, *sexual and reproductive health and rights (SRHR). The Guttmacher-Lancet Commission (Starrs et al, 2018) in looking at how to improve SRHR in populations formulated a comprehensive definition of SRHR that encompasses a broader range of issues.* These include SRHR and issues such as *violence, stigma and respect for bodily autonomy*, which greatly impact the psychological, emotional and social well-being of individuals.

Developmental goals

India's population growth is now stabilising. The decline in overall fertility notwithstanding, the population will continue to grow because of the effect of 'population momentum'. It is like a Jumbo Jet that has started to descend but will take some distance to stop. *The Total Fertility Rate (TFR), presently at 2.2 children, will soon reach replacement level (2.1).* However, *the TFR remains higher than the national average of 2.2 children among women who live in rural areas, have little formal education and are in the lowest income quintile* — a majority of them live in the poorer States. Changing social norms is one of the biggest challenges for India to address the needs of the next generation. For example, India's population stabilisation strategy must be adjusted keeping in mind the rights of women and girls. Women must have a greater say in choosing their family size. Prescriptive or coercive methods, such as one- or two-child norms, have rarely worked well anywhere for long. It goes without saying that for women and girls, the empowerment to make choices leads to better health outcomes, such as knowing how to prevent unintended pregnancy or giving birth with the help of a skilled birth attendant. The COVID-19 pandemic has exposed weaknesses in healthcare systems and has led to serious gaps and challenges in the provision of information and services on sexual and reproductive health (SRH). Even before the pandemic, pervasive negative social norms, health system barriers and gender inequality hindered universal access to SRHR as envisioned under the Programme of Action of the 1994 International Conference on Population and Development (ICPD). On World Population Day this year, the United Nations Population Fund (UNFPA) India recognises that even if health systems are understandably strained, the provision of these services cannot wait. Any further delays will curtail the health and well-being of women and girls, the consequences of which can last a lifetime. In the last two decades, India has made substantial gains with SRH indicators. *Progressive policies for maternal health have resulted in improved rates of institutional delivery and a decline in maternal mortality ratio (MMR) from 327 in 1999-2001 to 113 per 100,000 live births in 2016-18, as per Sample Registration System (SRS) data.* There have also been significant shifts in family planning in the past decade, and data from the National Health Family Survey 5 for the year 2019-20 (NFHS-5) show how contraceptive prevalence has improved in most States. We ought to celebrate India's success, as it significantly contributes to global progress. The current government, with programmes such as Beti Bachao Beti Padhao (BBBP), has made some efforts



to challenge existing social norms and has underlined that investments in social causes must go alongside economic progress. All sections of society must embrace this call for positive change, each doing their part, from the individual to the institution level. The UNFPA is keen to take India's success models and strengthen the South-South Collaboration further.

Poor indicators

But success is hard-earned and never assured. There are many challenges on the path to 2030, the goalpost for achieving the Sustainable Development Goals (SDGs). *Two million adolescent girls (15-19 years) each year had a pregnancy, and of these, nearly 63% were unwanted or unintended (Guttmacher Institute, 2021). This points to inadequate information and access to SRH services for this age group. In girls aged 15-19 years, 22.2% had an unmet need for contraception, according to NFHS-4. Girls are still marrying too young — 26.8% of women aged 20-24 years are married before they turn 18, often having their first child within the first year of marriage.* Far too many girls and women face gender-based violence and harmful practices that are socially sanctioned. All of these practices are rooted in social norms, beliefs and practices that deny women their bodily autonomy. *India has slipped 28 places to rank 140th among 156 countries, becoming the third-worst performer in South Asia in The World Economic Forum's (WEF) Global Gender Gap Report (2021).* Time to achieve the ambitious targets of the SDGs is running out. India must hence choose its priorities carefully. Our analysis seems to suggest that placing youth, women and girls at the centre of policymaking and services could trigger a positive ripple effect. If young people, and adolescent girls in particular, have access to education, relevant skills, information and services to make healthy choices, including related to SRH, are empowered to exercise their rights, and have access to opportunities for employment, then India will be on a clear path to achieve its goals. *What research and practical experience show is that when women can make informed choices about their sexual and reproductive health, and when they have access to services to support their choices, societies are healthier and more productive.* A woman who has control over her body gains not only in terms of autonomy but also through advances in health, education, income and safety. She is more likely to thrive, and so is her family. The UNFPA calls upon stakeholders to help build a new set of social norms to drive this mission.

SC COMES TO THE AID OF THOSE IN MENTAL HEALTH INSTITUTIONS

The Supreme Court on Tuesday asked the Centre to ensure that patients in mental health institutions are tested for COVID-19 and vaccinated. A Bench of Justices D.Y. Chandrachud and M.R. Shah directed States and Union Territories to extend cooperation and participate in the meeting of Ministry of Social Justice and Empowerment to be held on July 12. It asked the States and the Union Territories to remove the discrepancies in figures submitted about the people treated but are languishing in the institutions and those who still need treatment. The Bench decided to monitor their welfare, terming it a sensitive issue. *The court was hearing a plea filed by advocate Gaurav Bansal that nearly 10,000 people, fit to be discharged, were forced to live in mental hospitals due to social stigma.* Additional Solicitor-General Madhavi Divan, appearing for the Centre, said there were some discrepancies in the data provided by the States and the matter had been pointed out to the governments. "It is a very serious matter. Many people who are cured may not be accepted by their families. Tell the authorities concerned to be serious and ensure that court's order is complied with," the court said. *The Bench also objected to the practice of the Maharashtra*



government in shifting these patients to beggar homes as it was in violation of the Mental Health Act. Mr. Bansal pressed that those in mental health institutions be tested for COVID-19 and get the benefit of vaccination as they make up the most vulnerable section of society. The Bench said it is time the matter was taken up with alacrity, and directed the Chief Secretaries to send their representatives to participate in the meeting of July 12. The court posted the matter for further hearing on July 27.

FOUR YEARS ON, DELAY DERAILS RAILWAYS' CCTV PROJECT

More than four years after a memorandum of understanding (MoU) was signed between the Indian Railways and RailTel for the installation of surveillance cameras at 983 stations across the country, the project envisaged under the "Nirbhaya Fund" to enhance safety of women passengers has derailed. With no progress in the national project for years and an investigation initiated by the Central Vigilance Commission (CVC) revealing serious irregularities in the tendering process, the Ministry of Railways has now asked its General Managers to go ahead and install Video Surveillance Systems (VSS) at the railway stations earmarked for the purpose in their respective zones. The Nirbhaya Fund was created by the Union government after the brutal gang-rape and murder of a 23-year-old woman in Delhi in 2012. The dedicated fund was meant for projects specifically designed for the safety and security of women. As part of the scheme, RailTel was allotted the execution of VSS at 983 railway stations across the country at an estimated cost of ₹500 crore. It was described as one of the largest projects of its kind, involving the integration of Indian Railways and RailTel systems, with the collaboration of multiple agencies. Though tenders were floated for four regions of RailTel in 2016, the project never took off due to alleged irregularities, which led to an investigation by the CVC. A detailed inquiry revealed that certain conditions in the tender document were "ambiguous". Later, over 1,400 queries were received from prospective bidders, leading to more ambiguities in the document. Inquiries also revealed that the tender notice was issued and documents uploaded even before the approval of the competent authority. The Tender Committee was not strictly as per the prescribed Schedule of Powers. "The Tender Committee was found to be working beyond their jurisdiction on certain parameters like testing of some of the items like switches in the laboratory of the firm and that too without covering all parameters prescribed in the tender documents... The overall supervision and control on the process was found to be lacking on the part of the Board level officers," the System Improvement Report said. When the technical bids were opened and taken up for scrutiny, the Finance Member of the Tender Committee recorded his dissent note. Even after the recommendations of the committee were changed, the Director (Finance) "recommended discharge of the tender on the ground that the Tender Committee got influenced and guided by the Independent External Monitor's report". *According to a Railway official, the zonal Railways were also asked to implement the VSS project even though an MoU for the same purpose was signed with RailTel. Some zones like the Central Railway even floated tenders and were on the verge of awarding the contract. "But it was later decided to ask RailTel to complete the work. It is not just the 983 stations, but the installation of surveillance cameras in hundreds of other railway stations and thousands of coaches in premium trains. Only a detailed investigation by an independent agency can reveal why and how the whole project got derailed and at whose intervention," the official, who preferred not to be quoted, said. With no sign of the high-priority safety project taking off, the Ministry of Railways has asked Zonal Railways to install surveillance cameras on their own by floating tenders.*



RELIGIONS IN INDIA, 'LIVING TOGETHER SEPARATELY'

A recent survey of nearly 30,000 individuals by the Pew Research Center ('Religion in India: Tolerance and Segregation') suggests *that most Indians respect religious diversity, and yet draw clear lines between communities when it comes to marriage.*

Segregated spheres

More Indians see diversity as a benefit (53%) than view it as a liability (24%) for their country; the rest do not take a clear position. Again, 84% of Indians believe that respecting all religions is very important to being truly Indian, and 80% believe respecting other religions is a very important part of their religious identity. And yet, *about two in every three Indians put a high priority on stopping interfaith and inter-caste marriages.* "Indians do simultaneously express commitment to religious tolerance and a consistent preference for keeping their religious communities in segregated spheres — they live together separately. While people in some countries may aspire to create a 'melting pot' of different religious identities, our data suggest that many Indians prefer a country more like a patchwork fabric or thali, with clear lines between groups," Jonathan Evans, primary project manager on the study, said in an email. For all the new laws aimed at stopping inter-community marriages, the survey found very little change caused by conversion to the size of various religious groups among the respondents. *When it comes to neighbours, large sections among the minority communities say they would be willing to live near a Hindu. Most Hindus, too, say they would be willing to live near a Muslim, a Christian or a Jain. But many Hindus also have reservations: for example, 36% would not be willing to live near a Muslim.*

Triple talaq

A majority of Muslims say they are against triple talaq, with women more opposed to it than men. The survey also found three-quarters of Muslims in favour of having access to their own religious courts for family disputes. "Muslim opinions of triple talaq also differ based on several other factors. For example, *Muslims with college degrees are more supportive of triple talaq than are Muslims with less education (46% vs 37%). And Muslims who say religion is very important in their lives are more likely to support triple talaq than those who say religion is less important (39% vs 26%),*" Evans said.

Being Hindu or Muslim

For most Hindus and Muslims, avoiding beef and pork respectively is central to their idea of who is truly Hindu or Muslim. 72% of Hindus say a person who eats beef cannot be Hindu; 77% of Muslims say a person cannot be Muslim if he or she eats pork. A majority of both groups also says a person cannot be Hindu or Muslim, respectively, if they celebrate each other's festivals. The two groups diverge to an extent on religiosity as a marker on identity. *The shares of Muslims who say namaz and visiting mosques are essential to being Muslim (67% and 61% respectively) are higher than the shares of Hindus who say a person cannot be Hindu if they don't say their prayers or don't visit temples (48% each).*



Survey and backdrop

The survey was conducted between November 17, 2019 and March 23, 2020 among 29,999 adults (22,975 Hindus, 3,336 Muslims), interviewed face-to-face in 26 states and three UTs. Andaman & Nicobar and Lakshadweep (remoteness), Kashmir (shutdown), and Manipur and Sikkim (Covid-19) were excluded. Six groups were targeted for oversampling: Muslims, Christians, Sikhs, Buddhists, Jains and those living in the Northeast. Sampling was conducted through a design that sought to increase diversity in religious representation. When protests broke against the Citizenship Amendment Bill in December-January, the survey was in progress. "...Tensions over the new citizenship law may have slightly depressed participation... by potential Muslim respondents. We also were unable to survey in the Kashmir Valley..." Evans said. "Still, the survey does represent the beliefs, behaviours and attitudes of around 95% of India's overall Muslim population."

OF INSULIN DISCOVERY

*Despite the pandemic, 2021 is a year to celebrate, as it marks the centenary of one of the most important breakthroughs in the history of medicine — the discovery of insulin in 1921 at the University of Toronto, Canada. The discovery is so dramatic that several movies have been made of it. The principal actor in the drama is **Fredrick G. Banting**, whose name is synonymous with it. **His birthday, November 14, is celebrated as World Diabetes Day.** Banting completed his medical studies at the University of Toronto in December 1916, but as the First World War was on, he was soon drafted into the Army. He was wounded in the Battle of Cambrai in 1918, but he continued to attend to other wounded soldiers, and for this, he was awarded the Military Cross. This shows his stoicism, a trait which would help him later in life. He returned to Canada and went on to do surgical training and studied orthopaedics. As his private practice was not successful, he started teaching medical students at the University of Western Ontario.*

A startling dream

One night, tired, he went to sleep after reading an article on pancreas by Moses Barron. At 2 a.m., he was awakened by a dream which led him to understand that tying the pancreatic duct by a ligature would cause degeneration of the cells of the pancreas concerned with digestion, but leave the islets of Langerhans intact. Banting had a sudden realisation that if there was a hormone in these islets which reduces sugar, it could be extracted and used to treat diabetes, and this became an obsession with him. He approached J.J.R. Macleod, Professor of Physiology at the University of Toronto, with a request to allow him to carry out experiments to isolate this hormone. Initially, Macleod was reluctant because many famous scientists like Naunyn, Minkowski and Mering, Opie, Sharpey-Schafer and Nicholas Paulesco had failed. Macleod finally provided Banting the laboratory facilities, a few dogs to experiment with and also a student, Charles Best, as his assistant. Macleod gave them a few weeks to complete their experiments, while he went on a holiday to Scotland.

Summer triumph

The story of how Banting and Best struggled through the summer of May 1921 (one of the hottest summers at that time) with no air conditioning and with crude equipment makes very interesting



reading. Experiment after experiment failed and dog after dog died. Banting had to surreptitiously procure dogs from the streets of Toronto. Being a surgeon, he carried out the surgeries, while Best measured the blood glucose levels of the dogs. When the pancreas was removed, it made the dogs severely diabetic. From the pancreas, Banting and Best tried to extract the mysterious internal secretion and then injected it into diabetic dogs to see whether their blood glucose levels would decrease. After a series of failures, one day in July 1921, history was made when they found that the blood glucose of a dog started coming down. Macleod came back from his holiday, and though initially did not believe the results, he soon got convinced that there was indeed a hormone in the islets of Langerhans that reduced the glucose levels. *Banting suggested the name isletin, but Macleod convinced him that the name insulin was better because it comes from the Latin word Insula meaning island, a name suggested years earlier by Sharpey-Shafer. Human clinical trials started in January 1922 and Leonard Thompson, a 14-year-old boy who was dying from uncontrolled diabetes, was one of the first recipients.* He responded dramatically. The initial clinical trials were, however, not very successful, because of the crude nature of the extracts prepared by Banting and Best. *A biochemist from Edmonton, James Collip, who had been brought on board, helped to purify the insulin.* This helped prevent adverse reactions such as fever and abscess formation at the injection site. *Soon, the lives of dozens of children who were dying of diabetes were saved after the insulin injections were administered.* One of the greatest breakthroughs of modern medicine had been achieved! The University of Toronto licensed the production of insulin to Eli Lilly & Co. in the U.S. which, within a year, were able to mass-produce insulin. *Till 1921, the lifespan of a child affected with Type 1 diabetes varied from three months to a maximum of two or three years. The latter was only possible if extreme starvation diets were given which barely kept the children alive until they died of diabetic coma. With the discovery of insulin, all that changed forever, and children with Type 1 diabetes were saved from death. Indeed, the discovery of insulin led to the Nobel Prize for Medicine being awarded in 1923, barely a year after the first clinical trials of insulin were done.* This is a record of sorts in the annals of the Nobel Prize. However, the prize itself was steeped in controversy. *The Nobel committee awarded the prize to Banting and Macleod. Banting alleged that Macleod had nothing to do with the discovery, and insisted that it was Charles Best who deserved it and he therefore shared his part of the prize money with Best. Not to be outdone, Macleod stated that it was Collip's purification of insulin which led to the large-scale use of insulin and hence he shared his prize money with Collip. So finally, there was glory enough for all the four co-discoverers of insulins: Banting, Best, Macleod and Collip.* Insulin soon became commercially available in most countries. Canada, the U.S., the U.K. and Europe were the early users. India, being under British rule at the time, also soon got insulin. *The big question was whether insulin being a protein, would work in a hot tropical country. Several papers were published from India in the 1920s which showed that if insulin was kept in the refrigerator, it would not lose its potency.* Today, a hundred years after the discovery of insulin, there are recorded instances of children with Type 1 diabetes who have lived for 80 to 90 years. I know of several people with Type 1 diabetes in India who are alive 60 years after they first started taking insulin injections. *For children with Type 1 diabetes, there is, indeed, no other treatment other than insulin injections.*

Still out of reach

If the discoverers of insulin were alive today, they will, probably, be unhappy. It is a sad fact that even 100 years after its discovery, lives of children with Type 1 diabetes are still being lost due to several factors. First, *despite enough global supplies of insulin, its accessibility still remains an issue*



in many developing countries. Second, it is still unaffordable not only to people in developing countries but even in some developed countries, even the U.S. As we celebrate the centenary of insulin's discovery, it is my dream that not a single one of the 1.5 lakh children with Type 1 diabetes in our country dies because of lack of affordability, or accessibility, to insulin. I was privileged to be part of the World Health Organization's "Global Diabetes Compaq", a white paper produced in connection with the insulin centenary, which was sent to all its member countries. One of the fundamental aspirations spelt out to governments in this report, is that every person with Type 1 diabetes in the world should have access to insulin. Indeed, insulin should be made a fundamental right of all human beings just like food, water or clothing. If this happens (and I do hope it does, and soon), that would be the best way for us to celebrate the epoch-making discovery made by Banting and colleagues in the summer of 1921.

STATE RESUMES IMMUNISATION AGAINST FILARIASIS

The Maharashtra government has flagged off its mass drug administration drive for the elimination of lymphatic filariasis and become the first State in the country to resume giving rounds of the drug after the second wave of COVID-19. The drive will be conducted in six districts — Bhandara, Chandrapur, Gadchiroli, Gondia, Yavatmal and Nanded — till July 15. Maharashtra has 18 filariasis endemic districts. As of 2020-21, at least 31,258 lymphoedema and 11,929 hydrocele cases were reported from these districts. Mass drug administration is one of the two pillars of the *National Programme for Elimination of Lymphatic Filariasis, under which anti-filaria drugs are administered to the eligible population once a year.* A combination of two drugs, *diethylcarbamazine (DEC) and albendazole*, or three — *Ivermectin, DEC, and Albendazole* — will be administered during the drive. Of the six districts, Gadchiroli, Chandrapur and Bhandara will undertake the triple drug therapy. *Everyone except pregnant women, children below five years and seriously ill people will be administered the drugs in the presence of health workers.* State Health Minister Rajesh Tope said, The Maharashtra Health Services has organised the drive in coordination with Global Health Strategies, World Health Organization, and Project Concern International.

CROCS RELOCATED FROM GUJARAT LAKE

As many as 194 crocodiles have been relocated from a lake near the Statue of Unity in Narmada district, Gujarat, in the last two years for the safety of tourists who come to enjoy boat rides there, officials said on Sunday. *The Panchmuli lake, situated near the 182-metre tall statue of Sardar Vallabhbhai Patel in Kevadia, a major tourist attraction, had a large number of crocodiles that posed a threat to visitors,* they said. "In 2019-20 [October-March], we relocated 143 crocodiles. In 2020-21, another 51 crocodiles were shifted to two rescue centres in Gandhinagar and Godhra," Kevadia Range Forest Officer Vikramsinh Gabhania said. There were still many crocodiles in the lake, he added. The Panchmuli lake, also known as 'Dyke-3' of the Sardar Sarovar Dam, was developed for tourists visiting the Statue of Unity. Hence, the authorities decided to relocate crocodiles from the water body to prevent any harm to tourists, the official said. In 2019-20, 73 rescued crocodiles were released into the Sardar Sarovar reservoir. The animals rescued later from the lake were shifted to the rescue centres at Godhra in Panchmahal district, and Gandhinagar, he said.



HIMALAYAN YAKS TO BE INSURED

The high-altitude yak, feeling the climate change heat across the Himalayan belt, will now be insured. The National Research Centre on Yak (NRCY) at Dirang in West Kameng district, Arunachal Pradesh, has tied up with the National Insurance Company Ltd. for insuring their livestock. “The countrywide population trend shows that yak population has been decreasing at an alarming rate. Further, climate change and inexplicable changes in the weather pattern have been reported from the yak rearing areas throughout the country,” NRCY director Dr. Mihir Sarkar said. The insurance policy would shield the yak owners against the risks posed by weather calamities, diseases, in-transit mishaps, surgical operations and strikes or riots. A four-year-old report said the number of yaks across the country declined by almost 24.7% between 2012 and 2019. *The total yak population in India is about 58,000. The Union Territories of Ladakh and Jammu and Kashmir have some 26,000, followed by 24,000 in Arunachal Pradesh, 5,000 in Sikkim, 2,000 in Himachal Pradesh and about 1,000 in West Bengal and Uttarakhand.* Dr. Sarkar termed it “a landmark development in providing financial security to yak rearing communities in Arunachal Pradesh, Sikkim, Ladakh and Himachal Pradesh”. *According to the policy, the owners would have to get their yaks ear-tagged and provide a proper description in order to get their animals insured.*

GETTING THE WIND UP OVER THE WEATHER

There is a need for better synergy between the India Meteorological Department (IMD) and private forecasters to avoid confusion, especially during extreme climate events like cyclones or flash floods, the Standing Committee on Science said in a meeting on Friday. The Standing Committee was deliberating on the subject of “Update on Monsoon Situation in the Country”. Chairman of the Committee and senior Congress leader Jairam Ramesh, according to the sources, said that while the entry of private players was inevitable, there must be one authoritative source of forecasts. “How that needs to be done must be worked out,” one of the members said. Currently, *there are three private players in India — Skymet (India), Earth Networks and IBM Weather.* Both Skymet and IBM Weather were called for the meeting. While Skymet officials participated, IBM’s representatives could not participate owing to pandemic-induced travel restrictions. In recent years, the IMD and Skymet have often made differing predictions on the monsoon. *In June 2021, the Kerala government, dissatisfied with the IMD’s performance, hired Skymet Private Limited, Earth Networks and the IBM Weather Company — to use “ensemble predictions to improve extreme weather alert services in the State”.* The IMD was vociferous on the issue and said that multiple predictions often create unnecessary confusion. But the IMD, sources said, agreed to open up their data collection for private players to use. Secretary, Ministry of Earth Sciences, *M. Rajeevan, according to sources, pointed out that in the U.S., which has many private players, there is only one authoritative source for extreme events like cyclones.* The members also expressed that, year after year, the IMD assesses the monsoon to be normal though the actual experience is different. Statistically, the members said, the monsoon may be normal in terms of the average rainfall, but most certainly the number of rainfall days had decreased. There have also been far more flash floods in recent times than ever before, the members pointed out. “What is perplexing is that this has not been captured in the forecast adequately,” another member said. The committee also discussed the current monsoon forecast, deficit regions and States, urban heat islands,



distribution of weather stations across districts, and matching meteorological sub-divisions with agro-climatic zones.

POLICY BLACK HOLES SPOOK SPACE INVESTORS

Potential foreign investors in India's space sector are unsure if their licence applications would get 'a fair consideration' and are wary of a possible conflict of interest given that the Department of Space is both the sectoral regulator and a service provider by way of its role overseeing the Indian Space Research Organisation (ISRO). Observing that the reforms announced in June 2020 to open the sector to private investors were a significant departure from the 'virtual monopoly' of state-controlled ISRO and allied entities, the U.K. India Business Council said there was, however, a 'lack of clarity' about several aspects related to the procedures. *Foreign Direct Investment up to 100% has been allowed under the government route in satellite-establishment and operation, subject to the sectoral guidelines of the Department of Space and ISRO.* The processes for authorisation to launch a satellite, the frequency allocation mechanism and even the details of different agencies involved in these clearances were not clear, the Council said, calling for the regulatory structure to be refined.

Emphasising that the private sector was concerned about sharing its intellectual property with the government, the business group said: "If ISRO is serious about partnering with the private sector, policymakers will have to view the industry as more than just a collection of manufacturers or service providers." *Global investors are also keenly tracking developments over the scrapped Antrix-Devas deal in the wake of the Indian government losing an international arbitration and Devas eyeing judicial enforcement of the arbitral award* in overseas jurisdictions. *Indian National Space Promotion and Authorisation Centre (IN-SPACe), a newly created regulatory body, has received at least 26 applications from Indian and foreign firms that include proposals to set up ground stations and make and launch satellites.*

THE STORY OF SIR CHETTUR SANKARAN NAIR, WHO TOOK ON THE BRITISH IN THEIR OWN COURTS

Filmmaker Karan Johar recently announced his decision to produce the biopic of Sir Chettur Sankaran Nair, an acclaimed lawyer and judge in the Madras High Court and one of the early builders of the Indian National Congress who had also served as its president in 1897. Nair was known for being a passionate advocate for social reforms and a firm believer in the self-determination of India. But what really stood out in his long glorious career is a courtroom battle he fought against the Lieutenant-Governor of Punjab, Michael O'Dwyer. Nair had accused O'Dwyer in his book, 'Gandhi and anarchy' for being responsible for the atrocities at the Jallianwala Bagh massacre. Consequently, he was fighting against an Englishman, in an English court that was presided over by an English jury. In all senses, the case was bound to make history. Johar announced that his film will "unravel the legendary courtroom battle" that Nair fought. The film is adapted from the book, 'The case that shook the empire' written by Nair's great-grandson Raghu Palat and his wife Pushpa Palat in 2019.



The rebellious lawyer

Nair was born in the year 1857 in Mankara village of Malabar's Palakkad district. He belonged to an aristocratic family and his great grandfather was employed by the East India Company to enforce peace in the Malabar region. His grandfather was employed as the chief officer under the Civilian Divisional Officer. Nair was drawn towards Law while he was completing his graduation from Presidency College in Madras. After completing his degree in Law, he was hired by Sir Horatio Shepherd who later became the Chief Justice of the Madras High Court. Since his early days as a lawyer, Nair was known for his defiant attitude. Raghu and Pushpa in their book noted an instance when he went against a resolution passed by Indian vakils (advocates) of Madras stating that no Indian vakil would work as a junior to an English barrister. Nair firmly opposed this resolution on the principle that no lawyer should be denied the right to choose a senior that his client liked. His stance on the issue made him so unpopular that he was boycotted by the other vakils, but he refused to let that bother him. Similar experiences would become a norm throughout his career. If he believed in something, he stood by it, whatever be the opposition he faced. When the 1908 Montague-Chelmsford reforms were being discussed, he wrote an article in the Contemporary Review criticising the English jury for being partial towards Englishmen. This infuriated the Anglo-Indian community who petitioned the Viceroy and the Secretary of State for India objecting to his appointment as high court judge the first time. He was equally despised by the Brahmins in Madras. "Though once a president of the Congress, Nair took a lukewarm interest initially in the organisation as it was dominated by Brahmins and he found his position not agreeable," wrote Raghu and Pushpa. Consequently, when he was nominated to the Madras Executive Council, the Brahmin community in Madras wrote to the Viceroy asking him to not appoint him since he was anti-Brahmin. Nair's fearlessly brusque and outspoken nature also made him extremely unpopular among his colleagues and peers. He was once described by Edwin Montague, the secretary of state for India as an 'impossible person'. "He shouts at the top of his voice and refuses to listen to anything when one argues, and is absolutely uncompromising," he is known to have said (as cited in Raghu and Pushpa's book). Despite his many critiques, Nair's presence as a lawyer and social reformer in Madras was formidable. In 1897 he became the youngest president of the INC in the history of the party till then, and the only Malayali to hold the post ever. By 1908 he was appointed as a permanent judge in the Madras High Court. In 1902 Lord Curzon appointed him a member of the Raleigh University Commission. In 1904 he was appointed as Companion of the Indian Empire by the King-Emperor and in 1912 he was knighted. In 1915 he became part of the Viceroy's Council, put in charge of the education portfolio. As a Madras High Court judge, his best-known judgments clearly indicate his commitment to social reforms. In *Budasna v Fatima* (1914), he passed a radical judgement when he ruled that those who converted to Hinduism cannot be treated as outcastes. In a few other cases, he upheld inter-caste and inter-religious marriages. As a fervent freedom fighter, he firmly believed in India's right for self-government. In 1919, he played an important role in the expansion of provisions in the Montagu-Chelmsford reforms which introduced a system of dyarchy in the provinces and increased participation of Indians in the administration. In Nair's biography, written by his son-in-law, the eminent diplomat and the first foreign secretary of India, KPS Menon, the latter noted that the measures in the 1919 reforms were far more liberal than what was originally proposed by the government in 1916. The credit for this, Menon wrote, lay largely with Nair and his uncompromising stance as part of the Viceroy's Executive Council. And when the massacre of Jallianwala Bagh happened, he thought nothing about resigning from the Viceroy's Council in



protest. Nair's resignation shook the British government. In the immediate aftermath, press censorship in Punjab was lifted and martial law terminated. Further, a committee was set up under Lord William Hunter to examine the disturbances in Punjab. It was during this same period that Nair wrote 'Gandhi and Anarchy', which was published in 1922. In the book, Nair spelt out his critique of Gandhi's methods, especially those of non-violence, civil disobedience and non-cooperation. He believed that any of these movements was destined to lead to riots and bloodshed. In the same book, he also accused O'Dwyer for his coercive methods that led to the death of hundreds of innocent men and women at Jallianwala Bagh. Thereafter, O'Dwyer sued Nair for defamation in England, with the expectation that an English court would side with him. As was well known, a large section of the English people did strongly believe that General Dyer's act at Jallianwala was justified and was in fact responsible for saving Britain's empire in India.

A historic courtroom battle

The trial before the King's Bench in London went on for five and a half weeks. It was the longest-running civil case at that time and received extensive press coverage. From the very beginning of the trial, the courtroom remained crowded and distinguished people would come to witness the proceedings, including on one occasion the Maharaja of Bikaner. The 12-member all-English jury was presided over by Justice Henry McCardie, who from the start of the case, made no attempt to hide his bias towards O'Dwyer. So were the other judges, who were also equally unfamiliar with India and Indians. O'Dwyer was defended by Ernest B. Charles who defended his client as a paragon of men who had successfully averted a mutiny. "Charles' words were clearly meant to kindle the sympathy of the English jury for their own people. He exaggerated the perils the English bore to protect the Empire. Indians, of course, were portrayed as rebels, extremists and seditionists," wrote Ragul and Pushpa. Nair's lead counsel was Sir Walter Schwabe who had recently returned to England after having served as Chief Justice of the Madras High Court. Two days after the trial began, instead of being allowed to call the defendant's witnesses which was usually the case, he was interrogated by McCardie who asked him if he intended to prove whether General Dyer was right or wrong in opening fire at the crowd at Jallianwala. At this juncture, McCardie pointed out to the jury, "the safety of the Indian empire was the proper issue there and the safety of the wider empire to which we belong. It may be that a man is bound under critical circumstances to what appear to us in London to be repellent steps which are necessary in the wider stages of the world" (as quoted by Nair in his autobiography). Similar interjections on the part of McCardie was common throughout the trial, much to the surprise of Nair, who having served as a judge himself was aware that the role of the judge was to ensure a fair trial rather than influencing it with his own opinions. Eventually, O'Dwyer won the case with a majority of 11 against one. The only dissenting judge was Harold Laski. Nair had lost the case and was held guilty for defaming O'Dwyer. He had to pay £500 and expense of the trial to the plaintiff. O'Dwyer stated that he would be willing to forgo the penalty, provided Nair tendered an apology. But Nair remained undeterred. He would rather pay the damages than apologise for writing what he knew was the truth about Jallianwala Bagh. Since the verdict was not a unanimous decision, Nair had the option of another trial. However, he refused to go ahead reasoning: "If there was another trial, who was to know if 12 other English shopkeepers would not reach the same conclusion?" Though Nair had lost, the trial had a resounding impact on the British empire in India. At a time when the nationalist movement was gaining momentum, Indians saw in the judgement a clear bias of the British government and an effort to shield those who committed atrocities against their own



people. The verdict was momentous in that it strengthened the determination of the nationalists to fight for self-government. Nair passed away in 1934 at the age of 77. His legacy was carried forward by his large family of nine children and grandchildren, most of whom were celebrated names in their own fields. His eldest daughter was K Parvathi Ammal who later became Lady Madhavan Nair upon marrying eminent lawyer and judge of the privy council Sir Madhavan Nair. Her name and also those of her children have been given to several streets in Chennai. Nair's son R M Palat was also a lawyer and a politician belonging to the Justice Party. His grandson Kunhiraman Palat Candeth was a senior army officer who played a commanding role in the liberation of Goa from Portuguese control in 1961. Nair's nephew, VMM Nair is currently the oldest surviving Indian civil servant.



DreamIAS



BUSINESS & ECONOMICS

WHY IS CAIRN GOING AFTER INDIAN ASSETS?

Britain's Cairn Energy Plc has secured an order from a French court authorising the freezing of 20 Indian government properties in Paris valued at over 20 million euros, the London-based Financial Times reported Thursday. This is the first court order secured against India to enforce a \$1.2-billion arbitration award that Cairn Energy had won against the Indian government in the retrospective tax dispute. On Thursday, the Finance Ministry said it had not received any communication in this regard from any French court, and that it was trying to ascertain the facts.

What are the assets Cairn is going after?

Cairn Energy has so far registered the arbitration award in several countries, where it has identified Indian assets worth over \$70 billion. This includes jurisdictions in the US, UK, Canada, Singapore, Mauritius, France and the Netherlands. In the US, Cairn Energy has chosen New York to sue India because it has located substantial assets it can recover the compensation from in that jurisdiction. Specifically, Air India's United States operations are headquartered in this district at 570 Lexington Avenue, New York, New York, 10022. According to the Financial Times report, the French court, Tribunal judiciaire de Paris, on June 11 agreed to Cairn's application to freeze (through judicial mortgages) residential real estate owned by the Government of India in central Paris, particularly the in the 16 Arrondissement of Paris, a marquee neighbourhood in which a residential property, according to the newspaper, has served as the residence of the Deputy Chief of Mission at the Indian Embassy.

What are India's options going forward?

While it is the first one to succeed for Cairn, the French court order boosts its chances in other jurisdictions. The assets will be tangled in legal dispute and India will join a list of countries that includes Pakistan, Afghanistan whose assets were seized abroad. Unless it can be proved that the arbitration awards against India are mala fide in the appeals, the award can be enforced in foreign jurisdictions. However, a settlement between the two parties cannot be ruled out.

Is there any Indian precedent for such seizure of property belonging to foreign states?

Seeking courts' intervention in enforcement of arbitration awards against foreign states is fairly common. *Last month, in a case filed by two Indian private companies for enforcement of arbitral awards in their favour, the Delhi High Court directed the Embassies of Afghanistan and Ethiopia to file affidavits disclosing the assets owned and held by them in India. While KLA Const Technologies sought to recover approximately Rs 1.72 crore from the Islamic Republic of Afghanistan in enforcement of an arbitration award in which the Supreme Court had appointed the sole arbitrator, the other Indian firm, Matrix Global Private Limited, sought to recover Rs 7.60 crore from Ethiopia.* The ruling by Justice J R Midha was looking into the question of whether a "Foreign State can claim Sovereign Immunity against enforcement of arbitral award arising out of a commercial transaction?" *"A Foreign State does not have Sovereign Immunity against an arbitral award arising out of a commercial transaction. Further entering into an arbitration agreement constitutes waiver of Sovereign Immunity.* The agreement by the respondent to arbitrate the disputes would operate



as a waiver of the said requirement. When a Foreign State enters into an arbitration agreement with an Indian entity, there is an implicit waiver of the Sovereign Immunity, otherwise available to such Foreign State, against the enforcement of an arbitral award,” the High Court held. “In fact, the very underlying rationale of international commercial arbitration is that of facilitating international trade and investment by providing a stable, predictable, and effective legal framework within which commercial activities may be conducted to promote the smooth flow of international transactions, and by removing the uncertainties associated with time-consuming and expensive litigation. Otherwise, the very edifice of the international arbitration ecosystem would collapse,” it added.

PANAMA PAPERS: RS 20,000 CRORE IN UNDECLARED ASSETS IDENTIFIED

Panama Papers, the Pulitzer-winning investigation that exposed how the rich and powerful parked and moved their money in and out of global tax havens, has led Indian tax authorities to undeclared assets worth over Rs 20,000 crore so far — possibly among the highest for a single batch of cases. Replying to Right To Information (RTI) requests filed by The Indian Express, the Central Board of Direct Taxes (CBDT) said that till June 2021, undeclared assets totalling Rs 20,078 crore have been identified by them in India and abroad following the investigation. *The Indian Express was a global partner in Panama Papers, which focused on offshore holdings gleaned from about 11.5 million secret documents obtained from the Panamanian Law firm, Mossack Fonseca.* The findings of the investigation, helmed by the International Consortium of Investigative Journalists (ICIJ) and involving 100 media partners, was published in India by The Indian Express in April 2016. The latest number is a quantum jump from figures released earlier to The Indian Express by CBDT through the RTI route: Rs 1,564 crore in June 2019, and Rs 1,088 crore in April 2018. The CBDT has also submitted the latest data for “action taken”. Till last month, 46 prosecutions have been filed in various courts under the Black Money Act and the Income Tax Act. In 83 cases, searches and surveys have been conducted. Significantly, the CBDT has revealed that tax realisation has also begun for these cases. The RTI reply shows that the CBDT has recovered tax worth Rs 142 crore from those against whom prosecutions have been filed — this figure is expected to rise as the cases progress in courts. Globally, with Panama Papers crossing the five-year mark, ICIJ has calculated that, in all, tax authorities around the world had recouped taxes and penalties totalling more than \$ 1.36 billion. The figures for the highest tax collections were from the UK, Germany, Spain, France and Austria.

RBI ASKS BANKS TO STOP USING LIBOR, MIFOR

The Reserve Bank of India has asked banks and financial institutions *to cease entering into new financial contracts that reference London Interbank Offered Rate (LIBOR) as a benchmark and instead use any widely accepted alternative reference rate (ARR) by December 31, 2021. The central bank said banks have also been advised to cease using the Mumbai Interbank Forward Outright Rate (MIFOR), a benchmark which references the LIBOR, as soon as practicable and in any event by December 31, 2021.* In this context, Financial Benchmarks India Pvt Ltd (FBIL) has started publishing daily adjusted MIFOR rates from June 15, 2021 and modified MIFOR rates from June 30, 2021. “Banks and financial institutions are urged to incorporate robust fallback clauses in all financial contracts that reference LIBOR and the maturity of which is after the announced cessation date of the LIBOR settings.”

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CLEANUP IN BOARDROOM

The recent controversy over the issuance of preference shares by PNB Housing Finance has raised disconcerting questions over the role of independent directors in India. Unfortunately, such concerns over the independence of independent directors are not new. *Questions have repeatedly been raised over the appointment and selection process of independent directors, their compensation, and to what extent they are “distanced” from the promoters. Matters of propriety and conflict of interest have also been raised over the manner in which regulators, after demitting office, are appointed to boards of private companies they used to oversee. An investigation by this newspaper has revealed that in the last 11 years, at least six heads of top regulatory bodies and two senior associates took directorships with private firms that fell within their regulatory domain. In some of these cases even the cooling off period was ignored.* But it's not just the private sector. As reported by this newspaper, of the 172 independent directors in 98 public sector entities, at least 86, serving on 67 PSU boards are linked to the ruling party. In fact, two years ago, the Indian Institute of Corporate Affairs noted that “the selection of independent directors for PSUs has not remained independent”. To address some of these concerns, last week, the Securities and Exchange Board of India (SEBI) introduced new rules that seek a more robust framework for independent directors. *As per the new rules, which will come into effect from January 1, 2022, the appointment or removal of independent directors has to be carried out through a special resolution of shareholders, as compared to an ordinary resolution earlier which requires a simple majority. A higher threshold for the appointment and removal of independent directors is certainly welcome. But this is a deviation from the discussion paper released by SEBI earlier this year on this issue, which had suggested that the appointment/removal be subject to a dual approval process, giving greater say to the non-promoter shareholders. The new rules also seek to, and rightly so, populate important committees with independent directors. Two-thirds of the members of the nomination and remuneration committee have to be independent directors. Further, all related party transactions have to be approved by independent directors on the audit committee.* These steps will address some of the concerns raised in the past. Considering the critical role played by independent directors in corporate governance, measures to tighten the norms governing them are timely. Ensuring their independence, protecting their ability to differ with the promoter and look out for the interests of the non-promoter and minority shareholders, especially when the interests of the two are not in sync, would go a long way in strengthening corporate governance in India.

OPEC'S OUTPUT PACT PROPOSAL: HOW WILL DECISION AFFECT INDIA?

The latest round of meetings among the OPEC+ group of oil-exporting countries has stalled as the UAE has pushed back proposals making an increase in crude oil supply conditional on an extension to an output agreement. Another round of discussions between OPEC+ countries scheduled for Monday was reportedly called off as key players failed to make any progress in resolving key issues.

What is the background?

The OPEC+ group of countries had, in April 2020, entered into a two-year agreement, which entailed steep cuts in crude production to deal with a sharp fall in the price of oil as a result of the Covid-19 pandemic. The price of Brent crude hit an 18-year low of under \$20 per barrel in April 2020 as



economic activity around the world crashed as countries dealt with the pandemic. The initial production cut by OPEC+ was about 10 million barrels per day or about 22 per cent of the reference production of OPEC+ nations. In November 2020, however, *the price of Brent crude started climbing consistently and has, now, risen to \$76.5 per barrel — up from about \$40 per barrel at the end of October — buoyed by the steady rollout of vaccination programmes around the world. OPEC+, however, maintained lower levels of production despite crude oil prices reaching pre-Covid levels, with Saudi Arabia, notably, announcing a further cut in production of 1 million barrels per day for the February-to-April period, which helped boost rising prices even further.* The OPEC+ group ran into sharp criticism from developing economies, including India, for deliberately maintaining low supply levels to raise prices. Petroleum Minister Dharmendra Pradhan had even said the high price of crude oil was slowing down the economic recovery of developing economies post the pandemic. *In April, OPEC+ agreed to gradually increase crude production as prices reached \$64.5 per barrel including a phased end to Saudi Arabia's 1 million barrel per day cut in production by July.*

What is the issue?

According to the UAE's official news agency, Emirates News Agency, the UAE agreed that there was a need to increase crude oil production from August, but did not agree to a condition by the OPEC Joint Ministerial Monitoring Committee (JMMC) that the two-year production agreement be extended by six months. The UAE government said that it made “no sense to attach conditions to increase in August,” noting that the only option offered by the JMMC included an extension to the current agreement. The UAE's key objection to the existing agreement is the reference output used to calculate the total production apportioned to each oil-exporting country. *The UAE noted that the baseline production level reference used in the current agreement was not reflective of the UAE's production capacity and, therefore, led to the UAE being apportioned a lower share of total production of crude oil.* The UAE noted that the baseline reference production levels were unfair and that it would be open to extending the agreement if baseline production levels were reviews to be fair to all parties.

How will this impact India?

If the UAE and other OPEC+ nations do not reach an agreement to increase production in August, expected relief in the form of lower crude oil prices could be delayed. India is currently facing record-high prices of petrol and diesel, with pump prices of the former exceeding Rs 100 per litre in 13 states and Union Territories. High crude prices have led to Indian oil marketing companies hiking the price of petrol by about 19.3 per cent and that of diesel by about 21 per cent since the beginning of 2021. Pradhan noted last week that he had recently had productive conversations with OPEC member nations and was hopeful that crude oil price would “sober” after the current set of meetings.

OPEN-SOURCING PROJECT GOVT PANEL: WHAT'S IN STORE FOR ONLINE RETAILERS

The Department for Promotion of Industry and Internal Trade (DPIIT) Monday issued orders appointing an advisory committee for its Open Network for Digital Commerce (ONDC) project that is aimed at curbing “digital monopolies”. This is a step in the direction of making e-commerce processes open source, thus creating a platform that can be utilised by all online retailers.



What processes are expecting to be open-sourced with this project?

Several operational aspects including onboarding of sellers, vendor discovery, price discovery and product cataloguing could be made open source on the lines of Unified Payments Interface (UPI). An executive of an e-commerce company has said that if mandated, this could be problematic for larger e-commerce companies, which have proprietary processes and technology deployed for these segments of operations.

Who are the members of this advisory council?

National Health Authority CEO and former TRAI Chairman RS Sharma and Infosys non-executive chairman Nandan Nilekani are on this council. In addition to these two, Quality Control of India Chairman Adil Zainulbhai, Avaana Capital Founder Anjali Bansal, Digital India Foundation Co-Founder Arvind Gupta, National Payments Corporation India CEO Dilip Asbe, NSDL e-Governance MD & CEO Suresh Sethi, CAIT Secretary General Praveen Khandelwal, and Retailers Association of India CEO Kumar Rajagopalan are also members on the council.

What is the meaning and significance of making something open-source?

Making a software or a process open-source means that the code or the steps of that process is made available freely for others to use, redistribute and modify it. For example, while the operating system of Apple's iPhones — iOS — is closed source, meaning it cannot be legally modified or reverse engineered, Google's Android operating system is open-source, and therefore it is possible by smartphone OEMs such as Samsung, Xiaomi, OnePlus, etc to modify it for their hardware. *If the ONDC gets implemented and mandated, it would mean that all e-commerce companies will have to operate using the same processes. This could give a huge booster shot to smaller online retailers and new entrants.*

What does the DPIIT intend from the project?

In the order forming the council, the DPIIT noted that the ONDC "aims at promoting open networks developed on open-sourced methodology, using open specifications and open network protocols, independent on any specific platform. ONDC is expected to digitise the entire value chain, standardise operations, promote inclusion of suppliers, derive efficiency in logistics and enhance value for consumers".

DISCOMS FREE TO EXIT POWER PURCHASE PACT AFTER TERM ENDS

The Power Ministry has informed states and central power generation companies that power distribution companies (discoms) are permitted to exit power purchase agreements (PPAs) after completion of the term of the agreements. The clarification comes after an order by the Central Electricity Regulatory Commission (CERC), noting that BSES Yamuna Power was within its rights to stop buying power from state-owned NTPC Ltd's power generation station in Dadri as it had completed 25 years of useful life in late 2020. "... State/Discoms may relinquish entire allocated power from such projects which have completed 25 years since the commissioning of the project," the Power Ministry said in a clarificatory note, adding that power supply from other projects would continue as per the terms of the PPA. NTPC had argued that BSES could not selectively cease purchases from one station while continuing power purchases from other stations including those at



*Rihand and Singrauli as purchases from these stations were also covered under a composite agreement that included purchases from the Dadri station. BSES had approached the CERC to restrain NTPC from penalising BSES for its decision to exit the agreement last November. BSES was required to pay Rs 35 crore of fixed charges a month despite not scheduling any power purchases from the Dadri station, under the PPA. A spokesperson for Reliance Infrastructure-led BSES Yamuna Power said the clarification “endorsed” the company’s stand to exit the costly 25-year old PPA, noting that the order “will be hugely beneficial to the 45 lakh BSES consumers of Delhi as it will help reduce the burden of fixed costs as well”. The person said that the move would allow BSES discoms to source cheaper and green power for consumers of Delhi. **The government had on March 22, notified guidelines enabling discoms to either continue or exit from PPAs after completion of the term of such agreements.***

BHARATNET FAILS TO ENTER FAST LANE: BOTH PHASES STARING AT DELAYS AMID COVID

*The central government’s flagship scheme, BharatNet, which aims to connect all the gram panchayats and, subsequently, villages to high-speed optical fibre-based internet is running behind schedule in both phase one and phase two of its implementation, according to the latest data accessed by The Indian Express. As of June 25, a total of only 1,56,833 gram panchayats, excluding block headquarters, were service ready whereas the internet connectivity service was opened only in 1,50,744 gram panchayats. Of the total, 1,18,635 gram panchayats had been made service ready under phase one of BharatNet, while only 34,689 have been made service ready under phase two of the scheme as of June 25, according to the latest data available. A gram panchayat is considered service ready when it is connected to the main grid of the internet of the block headquarters of that area, whereas the internet connectivity in that gram panchayat is considered open only if there are end users connected to the internet grid. Under both phases of the scheme, optical fibre cable had been laid in 1,73,233 gram panchayats, of which fibre was laid in 1,23,654 gram panchayats under phase one, while optical fibre cable was laid out in 49,579 gram panchayats under phase two. **The government had aimed at connecting all the 2.5 lakh gram panchayats in the country with high speed optical fibre-enabled broadband by 2019. Under phase one, 1 lakh gram panchayats were supposed to be connected to the internet via high speed optical fibre by 2019, while another 1.5 lakh were to be connected under phase two by March 2020.** In March 2020, the deadline for both the phases was pushed back by 17 months to August 2021, while, later in September, the government said the timeline for the completion of phase two of BharatNet would now have to be pushed beyond August 2021, too, as “the pace was affected by the lockdown and movement curbs imposed by various governments due to Covid”. On August 15, meanwhile, Prime Minister Narendra Modi, during his Independence Day speech, announced that the government would now connect all the 6 lakh villages in India with high speed optical fibre over the next 1,000 days. **The erstwhile BharatNet project, which started in 2011 as National Optical Fibre Network, has missed several deadlines and has thus been delayed by more than 92 months now. On June 30 this year, the government changed the scheme’s implementation strategy and decided to rope in private players to finish the pending work of BharatNet. The work will now be completed under a public-private partnership (PPP) mode, where the concessionaire will be selected through a competitive international bidding process and will be responsible for creation, upgradation, operation, maintenance and utilisation of BharatNet.** The revised strategy will be followed in 16 states for now. The Indian Express had in January 2020 reported that with the panchayat internet connectivity scheme floundering at last mile due to its own implementation agencies failing, the*

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Department of Telecommunications (DoT) had been looking to rope in the private sector for completion of the pending projects under BharatNet phase one and two. The request for proposal for the PPP mode is likely to be released over the next fortnight and the government will then invite bidders for the project, a senior government official said. The total estimated cost of the BharatNet implementation under PPP mode will come to Rs 29,432 crore, of which the government will be spending Rs 19,041 crore for *viability gap funding*.

WHY DID NCLAT DISMISS INSOLVENCY PROCEEDINGS AGAINST OYO SUBSIDIARY?

Insolvency proceedings against OYO Hotels and Homes Pvt Ltd (OHHPL) have been dismissed by the National Company Law Appellate Tribunal (NCLAT) despite multiple hoteliers claiming unpaid debts by the company.

Why was OYO undergoing insolvency proceedings?

OYO was undergoing insolvency proceedings over a Rs 16-lakh claim made by a Gurgaon-based hotelier against the company. The Ahmedabad Bench of the National Company Law Tribunal admitted the petition to initiate insolvency proceedings in April and appointed an interim resolution professional (IRP) and permitted the IRP to start collating creditor claims. *OYO, however, said the issue with the operational creditor was a contractual dispute and had nothing to do with the company's solvency.* OYO founder and group CEO Ritesh Agarwal even said the company had made a full payment to the claimant under protest. "We are surprised to hear that the Hon'ble NCLT has admitted a petition against OHHPL, a subsidiary of OYO for Rs 16 lakh in a contractual dispute," OYO had said in an official statement, noting that the dispute was not even with the subsidiary that was admitted to insolvency proceedings.

What were the claims of other hotels that were operational creditors?

Other hotels, including 46 hotels represented by the Federation of Hotel and Restaurant Associations of India (FHRAI), had claimed that since insolvency proceedings had been admitted they could not be withdrawn without settlement of the claims of all creditors under the Insolvency and Bankruptcy Code (IBC).

Why did the NCLAT allow withdrawal of insolvency proceedings despite unresolved claims by other operational creditors?

The NCLAT held that while ordinarily, the withdrawal of insolvency proceedings against a corporate debtor requires the approval of 90 per cent of creditors, this only applies to cases where the committee of creditors has been constituted. The NCLAT noted that the Supreme Court had previously held that when a Committee of Creditors (CoC) has not been constituted, "the tribunal may ... allow or disallow an application for withdrawal or settlement." The NCLAT had, in an earlier order, stayed the constitution of the CoC after counsels for OYO claimed that the company was working with the petitioner to reach a settlement and that the insolvency petition had been filed against a subsidiary of OYO which was not even party to the contractual dispute. Both the petitioner who had filed to initiate insolvency proceedings and OYO submitted that they had reached a settlement and sought to withdraw the insolvency proceedings. On the claims filed by other hotels over non-payment of dues, the NCLAT noted, "... before constitution of Committee of



Creditors, mere filing of a 'Claim' does not constitute default per se," adding that a number of hotels that had filed claims had also sought arbitration with OYO through petitions with other courts.

BOURSES TO TAG SCRIP OF COS UNDER CIRP; BROKERS TO ALERT CLIENT

Stock exchanges — BSE and the National Stock Exchange (NSE) — have unveiled guidelines to safeguard the rights of investors, in a bid to bring transparency in trading of shares of companies undergoing Corporate Insolvency Resolution Process (CIRP). Bourses said they will identify and tag the security in a manner that will make it easy for members and market participants to know that the security is currently under IBC proceedings. Further, exchanges will direct all brokers to alert their clients at the time of placing orders that the scrip is undergoing CIRP. The move by the bourses comes after investors lost heavily in companies that were under insolvency proceedings. Resolution professionals (RPs) were directed to disclose the resolution plan on oral pronouncement on an immediate basis and not later than 30 minutes. RPs will also have to inform through the exchange platform the impact on the existing holders. "Since this alert will be available from the day of admission into CIRP till the day of suspension of the company/ exit from CIRP proceedings pursuant to National Company Law Tribunal (NCLT) order, the market participants shall be clearly aware of the status of the company and shall exercise necessary due diligence will trading in the security," NSE said in a press release Friday. *The NSE and the BSE will put in place a system to coordinate between each other, and based on the intimation of the oral order from the company or RPs, suspend trading in the company on immediate basis. This will be done in instances where the value of the listed securities is considered zero or where the entire equity capital is reduced, cancelled or extinguished without any payment to the existing equity shareholders.*

MIXED BAG

India's merchandise exports reached an all-time quarterly high of \$95 billion in the three months ended June, providing welcome cheer on the economic front. That the record was notched up during a quarter when the second wave of the pandemic hit its peak, and amid varying degrees of lockdowns, is all the more noteworthy. *Exports last month surged 47% from June 2020 to \$32.5 billion. Even discounting the fact that the year-earlier period provided an anomalous base as the economy had just begun reopening from a protracted nationwide lockdown, growth in shipments was still a robust 30% when compared with the pre-pandemic June of 2019.* Propelling the surge from the 2019 levels were *non-rice cereals, which quadrupled; iron ore, which more than doubled; and organic and inorganic chemicals that rose 62%. Engineering goods exports had the biggest jump in dollar terms, adding \$2.73 billion in value, or 42% over June 2019, as the rising vaccination coverage and economic recovery in key developed markets including the EU and the U.S. bolstered demand.* Commerce and Industry Minister Piyush Goyal was enthused enough by the export performance to posit that shipments of goods to overseas markets could touch the \$400 billion mark this fiscal, a figure which, if achieved, would represent an annual record. *Trade data, however, reveals that a significant driver of the export growth has been the runaway rally in commodity prices that have benefited from the accelerated reopening of major economies, as well as an increased appetite for raw materials and grains in China.* On the other hand, the *crucial job-generating export sectors including readymade garments, leather and leather products and tea all posted double-digit declines from June 2019 levels, reflecting the deeper structural problems that*

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dog each one of them. If the *tea industry* has been facing a long-term downtrend exacerbated by inadequate product variety, lack of marketing-savvy and sharp competition from rivals including Sri Lanka and Kenya, the *leather goods segment* has been put on the ropes by a combination of short-sighted policy measures, WTO-mandated withdrawal of export incentives and a pandemic-induced slowdown in orders. For a segment that provides large-scale employment, the recent imposition of an import duty on a key raw material has thrown the sector's very viability into question. With the Government dragging its feet on notifying the rates applicable under the Remission of Duties and Taxes on Export Products (RoDTEP) scheme, exporters are still unsure of how to price their products while bidding for orders. *A container shortage and heightened congestion have also sent freight rates out of Indian ports soaring.* Policymakers need to look beyond headline numbers and expedite action to restore the health of every constituent sector if economically enduring long-term growth in exports is to be ensured.

WHY SOME RESTAURANTS ARE UNHAPPY WITH SWIGGY, ZOMATO

The National Restaurants Association of India (NRAI) has approached the competition regulator alleging that food aggregators Swiggy and Zomato have "violated" laws by charging "exorbitant commissions" from restaurants and "masking" customer data from them. The move is the latest in an escalating conflict between restaurants and food delivery platforms, with the NRAI alleging that "onerous terms" imposed by Swiggy and Zomato have led to many restaurants having to wind up their businesses during the pandemic.

What are the allegations made by NRAI against Swiggy, Zomato?

The NRAI has alleged that Swiggy and Zomato have violated competition norms by "*masking*" the data of their customers, and by charging "*exorbitant commissions*" for the use of their online platforms. The NRAI noted that anti-competitive practices by the two companies particularly hurt restaurants during the pandemic as they dealt with an increased preference for delivery over dine-in services, and an overall fall in business.

Restaurants have previously alleged that Swiggy and Zomato do not share critical customer information with restaurants, but mine the data to promote their own cloud kitchens. The NRAI also alleged that restaurants are forced to offer deep discounts to maintain an "appropriate" listing on the online platforms. *In a market study commissioned earlier by the Competition Commission of India (CCI), restaurants alleged the commissions paid by them affected their search rankings, and sought greater transparency in the listing policies of online food aggregators. The NRAI alleged restaurants that agree to be listed exclusively on a platform, benefit from better terms such as lower commissions. Non-participation by restaurants in deep discounting schemes offered by the platforms could lower their visibility,* it added. The NRAI has also claimed that in some cases, *the companies have bundled delivery services with listing services making it mandatory for restaurants listed on the platform to also use its delivery services.*

How have Swiggy and Zomato responded?

While Swiggy and Zomato have not put out official responses so far, they have previously addressed some of the issues raised by restaurants. In the e-commerce study by the CCI, the food aggregators said that data masking was necessary to protect the privacy of their customers, and



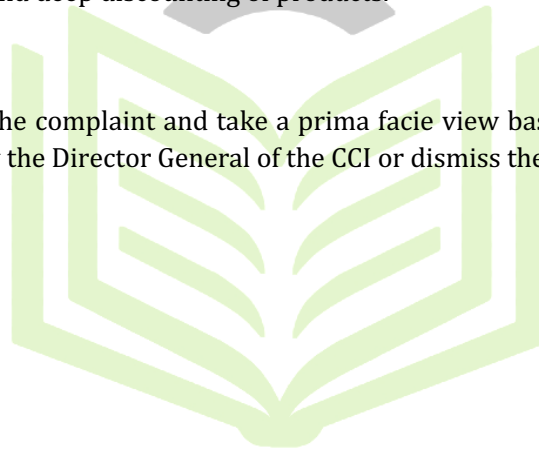
that they provided restaurants data that was necessary in helping them improve their performance in terms of customer review and rating. Platforms have also previously stated that restaurants are not required to participate in deep discounting schemes, according to the CCI market study.

What is the CCI view?

While the CCI has not passed any orders regarding the allegations by the NRAI thus far, it has made observations in a market study that may indicate its views on these matters. *The CCI noted that the lack of transparency of online platforms' functioning and practices could lead to distortion of competition, and had recommended that online platforms improve transparency to reduce information asymmetry between sellers using platforms and the platforms.* The CCI also recommended that online platforms set a basic framework for the negotiation of contracts, and set up ways to govern both their discount policies and conflict resolution between the platform and sellers. The CCI highlighted that the issue of the imbalance in bargaining power between restaurants and platforms was at the core of a number of issues, including the commissions charged by platforms and deep discounting of products.

What next?

The CCI will examine the complaint and take a prima facie view based on which it may order a formal investigation by the Director General of the CCI or dismiss the complaint by the NRAI.



DreamIAS



LIFE & SCIENCE

STRESS AND GREYING OF HAIR

Researchers at Columbia University have found (eLife) that stress can accelerate greying, and surprisingly the hair colour can be restored when stress is eliminated. They also found that stress does not affect the colour of hair that has already grown out of the follicle. When hairs are still under the skin as follicles, they are subject to the influence of stress hormones. Once hairs grow out of the scalp, they harden and permanently crystallise and serve as record of past stresses, much like the tree rings hold information about past. The researchers developed a new method to capture highly detailed images of tiny slices of human hairs to quantify the extent of pigment loss (greying) in each of those slices. *Each slice, about 1/20 of a millimetre wide, represents about an hour of hair growth.* While the colour difference may not be perceptible to the naked eyes, under a high-resolution scanner, subtle variations in colour were seen. The researchers analysed individual hairs from 14 volunteers. The results were compared with each stress level volunteer on a weekly basis. They found that some grey hairs naturally regained their original colour and when the change in colour was compared with stress levels, a striking association was seen. Based on modelling, scientists think in middle age, hair needs to reach a threshold before it turns grey. *Stress pushes it over the threshold so the hair become grey. While the colour of hair can be reversed when the stress is removed, it cannot be the case in old people.*

DIDI SAYS APP TAKEDOWN MAY HIT REVENUE, OTHER U.S.-LISTED CHINESE FIRMS PROBED

Ride-hailing giant Didi Global Inc (DIDI.N) said a regulatory order that its app be removed from app stores in China could hurt revenue, while other newly U.S.-listed Chinese firms also found themselves the subject of cybersecurity investigations. Sunday's takedown order from the Cyberspace Administration of China (CAC) comes just two days after the regulator announced an investigation into Didi and less than a week after it made its debut on the New York Stock Exchange. Didi told Reuters on Monday that it was unaware before the initial public offering (IPO) that the CAC would launch a cybersecurity investigation or order a halt in China to new user registrations and a suspension of app downloads. The CAC's move also comes amid a widespread regulatory squeeze on Chinese tech firms that began with the scuttling of a \$37 billion listing planned by Alibaba fintech affiliate Ant Group late last year. "Both the Ant IPO cancellation and this action on Didi show that IPOs can be very dangerous in China, shedding light on one's scale and operations that invite regulatory scrutiny," said Martin Chorzempa, senior fellow at the Peterson Institute for International Economics. *Much of China's regulatory blitz has been by its antitrust watchdog and the order against Didi represents one of the CAC's most high-profile actions since its 2014 founding, suggesting a growing emphasis on data security for firms listing in the United States.* On Monday, the CAC also announced cybersecurity investigations into online recruiting company Zhipin.com and truck-hailing companies Huochebang and Yunmanman, which have merged to form Full Truck Alliance (YMM.N). Like Didi, Zhipin.com's owner Kanzhun Ltd (BZ.O) and Full Truck Alliance went public in U.S. listings last month.



AFTER CYBER ATTACK, HACKERS DEMAND \$70 MN

Hackers were on Monday demanding \$70 million in bitcoin in exchange for data stolen during an attack on a U.S. IT company that has shuttered hundreds of Swedish supermarkets. Researchers believe more than 1,000 companies could have been affected by the attack on Miami-based firm Kaseya, which provides IT services to some 40,000 businesses around the world. The FBI warned on Sunday that the scale of the “ransomware” attack — a form of digital hostage-taking where hackers encrypt victims’ data and then demand money for restored access — is so large that it may be “unable to respond to each victim individually”.

Russian-link suspected

Sweden’s Coop supermarket chain was among the most high-profile victims, with “a majority” of their 800 stores still closed three days after the hack paralysed its cash registers, spokesman Kevin Bell said. Mr. Bell stressed that the situation was looking “positive compared to a few days ago”, but the few hundred stores that have reopened were relying on alternative payment solutions, such as customers paying using their smartphones. *Experts believe the attack was probably carried out by REvil, a Russian-speaking hacking group known as a prolific perpetrator of ransomware attacks.* A post on Happy Blog, a site on the dark web previously associated with the group, claimed responsibility for the attack and said it had infected “more than a million systems”. *The FBI believes that REvil, also known as Sodinokibi, was behind a attack last month on global meat-processing giant JBS, which ended up paying \$11 million in bitcoin to the hackers.* The blog post said the hackers would post a decryption tool online “so everyone will be able to recover from attack in less than an hour” — if they were handed \$70 million in bitcoin.

FEED SUPPLEMENT REDUCES METHANE EMISSIONS BY LIVESTOCK

Cattle, buffaloes, sheep and goats in India emit an estimated 9.25-14.2 million tonnes of methane yearly – a large proportion of the round 90 mt methane emitted by livestock the world over. This is a trigger for critical concern, provided that methane is a really potent greenhouse fuel. With this in thoughts, an Indian Council of Agricultural Research (ICAR) institute has developed an anti-methanogenic feed supplement, referred to as ‘Harit Dhara’. When given to bovines and sheep, it not solely cuts down their methane emissions by 17-20 per cent, but in addition ends in increased milk manufacturing and body weight achieve. “An average lactating cow or buffalo in India emits around 200 litres of methane per day, while it is 85-95 litres for young growing heifers and 20-25 litres for adult sheep. Feeding Harit Dhara can reduce these by a fifth. For a cow producing 200 litres (143 g) of methane, it translates into 0.714 kg less of CO₂ equivalent emissions daily or 261 kg per year (1 litre methane=0.714 g; 1 kg methane=25 kg CO₂),” Dr Raghavendra Bhatta, director of the ICAR’s National Institute of Animal Nutrition and Physiology (NIANP) at Bengaluru, informed The Indian Express. *Methane is produced by animals having rumen, within the first of their 4 stomachs, the place the plant materials they eat – cellulose, fibre, starch and sugars – will get fermented or damaged down by microorganisms previous to additional digestion and nutrient absorption. Carbohydrate fermentation results in manufacturing of CO₂ and hydrogen. These are used as substrate by archaea – microbes within the rumen with construction just like micro organism – to supply methane, which the animals then expel by burping. Harit Dhara acts by lowering the inhabitants of protozoa microbes within the rumen, liable for hydrogen manufacturing and making*



it out there to the archaea for discount of CO₂ to methane. Tropical vegetation containing tannins – bitter and astringent chemical compounds – are identified to suppress or take away protozoa from the rumen. “Our product has been prepared using condensed and hydrolysable tannin-rich plant-based sources abundantly available in the country. Harit Dhara roughly costs Rs 6/kg and it is to be fed only to animals aged above three months having fully functional rumen. Our recommended daily dosage is 500 g for adult cattle and buffaloes, 150 g for growing bovines and 50 g for adult sheep,” mentioned Bhatta. However, *reducing of enteric methane emissions might not adequate financial justification for farmers to feed Harit Dhara. What NIANP’s anti-methanogenic feed supplement additionally does is change the composition of the unstable fatty acids which are the end-products of rumen fermentation (together with hydrogen and CO₂).* “Fermentation continues as before, *but there is more production of propionic acid now in proportion to acetic and butyric acid. Since propionic acid provides much of the energy for lactose (milk sugar) production and body weight gain, there is economic benefit too from feeding of Harit Dhara.* The biological energy loss from methane emission can be rechanneled and utilised by the animal for milk production and growth,” defined Bhatta. According to him, feeding 500 g Harit Dhara to lactating cattle and buffaloes would improve milk output by 300-400 ml/animal/day. The further weight achieve will, likewise, be 20-25 g/day from 150g for rising bovines and about 7 g/day from 50 g for grownup sheep. At Rs 30/litre milk worth, the benefit-cost ratio for the dairy farmer works out to 3:1. “We have done field validation and *filed a patent for Harit Dhara.* Compound animal feed manufacturers can also incorporate it into their products by replacing wheat or de-oiled rice bran. Farmers wouldn’t have to, then, separately feed Harit Dhara to their animals,” added Bhatta. *The 2019 Livestock Census confirmed India’s cattle inhabitants at 193.46 million, together with 109.85 million buffaloes, 148.88 million goats and 74.26 million sheep. Being largely ate up agricultural residues – wheat/paddy straw and maize, sorghum or bajra stover – ruminants in India have a tendency to supply 50-100% increased methane than their industrialised nation counterparts which are given extra simply fermentable/digestible concentrates, silages and inexperienced fodder.*

CHALLENGING THE GOOGLE WAY IN SEARCH

Twenty-three years ago, Sergey Brin and Lawrence Page presented the idea of Google in their research paper, ‘The Anatomy of a Large-Scale Hypertextual Web Search Engine’, optimistically concluding that “there is a bright future for search”. They couldn’t have been more prophetic. Google has, over the years, built its massive empire, thanks to the continuing success of its search engine. It has been so successful that its brand name is synonymous with the word “search”, worryingly so for the company. Its rivals have been few and far. And don’t forget the commercial success — *last year, Google made revenues of over \$100 billion just from its search operation.* It is in this Google-dominated universe that newcomer Neeva sees an opportunity. *Just a few days ago, Neeva made its search engine available for users in the United States, promising them “a private, ad-free search experience with only real results”.* Users who sign up get three months of free access, after which they have to pay \$4.95 every month. *There has also been a buzz around Neeva for it being the story of two ex-Googlers, Sridhar Ramaswamy and Vivek Raghunathan, challenging Google in its core business.* Mr. Ramaswamy, a former senior vice-president of ads at Google, was part of the team that built Google Search in the early years. Mr. Raghunathan is a former vice-president of monetisation at YouTube. They are both IIT alumni. So, what opportunity did they sense in a marketplace where Google is near-ubiquitous? Mr. Ramaswamy made this clear in his very first blog for Neeva about a year ago. He wrote: “As the leader of Google’s advertising products until

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2018, I truly believed in the benefits of an ad-supported search experience... However, I have come to believe that ads detract from a good search experience and have also had many unintended side-effects that have large social consequences.” The post was titled, “A new way to search that works just for you.” *Neeva’s goal to fix the search experience is, therefore, tied closely to its ability to build a non-advertising-based business model. This explains its subscription model, a rarity is the business of search engines.*

Not the free model

Around the time Google first came into the picture, the question of how best to navigate this mammoth, ever-growing resource called the Internet was yet to be resolved. It was still the early years of the Internet, and not surprisingly a number of players opted for a course that best mimicked offline offerings, something they were familiar with. Those like Yahoo, therefore, chose to build themselves up as portals, where information was organised so as to help users surf the Web. And there were others such as Inktomi and Alta Vista, who focussed on helping users search the Web. Google “entered with a new approach to searching — namely, by ranking web pages on the basis of the number of links to those pages and, eventually, by supporting itself with advertising,” says author Shane Greenstein in the book, *How the Internet Became Commercial*. Like many other internet services, search has almost always been free for users.

New challengers

Neeva isn’t alone in seeing an opportunity in search. Just a few days before Neeva’s announcement, Brave Browser announced the beta version of its Search tool — “offering users the first independent privacy search/browser alternative to big tech”. In recent years, *DuckDuckGo has been an alternative that has emphasised privacy over other things*. Last month, it said, “Spurred by the increase in DuckDuckGo app usage, over the last 12 months, our monthly search traffic increased 55% and we grew to become the #2 search engine on mobile in many countries, including in the U.S., Canada, Australia, and the Netherlands”. It further said: “We don’t track our users so we can’t say for sure how many we have, but based on market share estimates, download numbers, and national surveys, we believe there are between 70-100 million DuckDuckGo users.” The Fast Company story says Neeva “has indexed several billion web pages on its own but also credits Apple, Bing, and Yelp at the bottom of search results; other information providers include Intrinio, Weather.com, and Xignite. Even Google is an ingredient, with Google Maps embedded in search results”. The important question now is: will users pay for search?

THE 10,000 REPROACH

If you walked 10,000 steps and your FitBit didn’t record it, did it really count? There’s a whole category of jokes like this, taking potshots at the near-universal mania for recording 10,000 steps in a day. Variations on the joke include people refusing to get out of bed because their fitness band is charging or having a breakdown when they realise that they climbed up multiple flights of stairs without first turning on their pedometer. Usually, though, the punchline barely makes a dent in the armour of smugness that seems to protect fitness enthusiasts. After all, they are still getting in 10,000 steps more than the rest of us who are, to put it politely, horizontally-inclined. But guess what? Turns out, the “10,000 steps a day” recommendation is not so much gospel as spin. Research over the last few years, including the findings from a decade-long Women’s Health Study



presented recently at an American Heart Association conference, shows that walking anywhere between 4,500-7,500 steps a day is good enough for fitness and longevity, after which the health benefits start to plateau. The whole fad seems to have originated with the words “Manpo-kei”, which was the name of a pedometer sold in Japan in 1965 and which, when translated to English, means “10,000 steps meter”. Not surprisingly, the publicity campaign for the device urged people to walk 10,000 steps a day and because everyone loves a round number — no matter how outrageous — the marketing slogan became widely-accepted fitness dogma. So, no longer will our health conscious brethren have to furiously pace around the house at bedtime in order to make up their (almost impossible) daily goal, nor will they now fret over whether or not the fact that their multiple smoke breaks are being recorded as “steps” is technically cheating (it is). This is the day we join them in celebrating their liberation from that most reproachful of all numbers: 10,000.

CAN A PERSON LIVE TO AGE 124, 135 OR 150? SOME OPTIMISM, SOME CAVEATS

How long can a human hope to live, realistically? The recognised record is held by Jeanne Calment of France, who was 122 years and 164 days old when she died in 1997. How likely is it that someone will break her 24-year-old record, and, if so, when? It is nearly 100% likely that someone will have lived beyond 122 by the end of the century, researchers have projected in a statistical study. Another study, this one based on biology and a novel index, has projected that it is possible for a human to live even to the age of even 150 — if other things go right.

Between 122 and 135

The more recent one of the two studies, published on June 30 in the journal Demographic Research, uses statistical modelling to examine the extremes of human life in 13 countries. It was conducted by doctoral student Michael Pearce and Professor Adrian Raftery of the University of Washington. Their projections for maximum reported age at death for the period 2020-2100:

122 years: Near 100% probability that the current record will be broken.

124 years: Very likely, at 99%. Even for 127 years, the probability is as high as 68%.

130 years: Much less likely, at 13%.

Between 120 and 150

The other study, published on May 24 in Nature Communications, innovates a measure for people’s resilience — their ability to recover from stresses such as not getting enough sleep, strenuous exercises, or falling ill. It was conducted by a research team of Gero, a Singapore-based biotech company, in collaboration with Roswell Park Comprehensive Cancer Center in Buffalo, NY. Led by Tim Pyrkov of Gero, they measured the resilience of study subjects over time, extrapolated their measurements, and found a complete loss of human body resilience at some age around 120-150 years. “We found the trend of declining resilience with age. When projected to older ages, we observed that resilience is predicted to disappear, thereby suggesting the maximum lifespan,” Pyrkov told The Indian Express in an email. Resilience was measured with an index called DOSI. Pyrkov described it as a biological age measure based only on the most affordable blood test — complete blood counts. “The main idea was that it would be easier to obtain repeated samples from the same individual,” he said.



Measuring longevity

The number of people surviving until 100 has been rising over the years, but the number of supercentenarians — those who cross 110 — remains relatively low. To calculate what the longest individual human lifespan could be by the year 2100, the University of Washington's Pearce and Raftery used a common tool called Bayesian statistics. "We use the UN's method for predicting future life expectancy and mortality, which was actually developed by our group. This [takes] account of the past and current rate of improvement in each country," Raftery said, by email. The researchers made their projections from the International Database on Longevity, created by the Max Planck Institute for Demographic Research, which tracks supercentenarians from 10 European countries, and Canada, Japan and the US.

After reaching 110

While people are living longer, their chances of survival tend to flatten out after a point. Someone who is 110 has as much of a chance of surviving one more year as, say, someone who is 114. So, what is there to stop someone aged 127 from surviving the next year, and the next, until they reach 135? "Nothing," said Raftery. "The chance of surviving from age 110 to 111 is about $\frac{1}{2}$. Same for the probability of a person aged 127 surviving to age 128... The chance of surviving 20 years, for example from age 110 to 130, is $\frac{1}{2}$ to the power 20, which is about one in a million. The probability of surviving to age 135 is $\frac{1}{2}$ to the power 25, which is about one in 32 million. The number of people reaching 110 in the first place will be far lower than that, so the probability of even one of them reaching 135 is very low," he explained. "But it is still possible, even if the probability is low."

Why 150, or why not

If the Gero-led study projects a much higher maximum lifespan, the reason is not only the a different methodology, but also that it is for individuals without any major illness. What it means is that even if someone has no illness, their resilience will inevitably decline with age. "... Once a therapy to extend resilience would be found, we might witness the extension of human life expectancy," Pyrkov said.

CHINA GOES MALARIA-FREE WITH MULTI-PRONGED HEALTH STRATEGY

The World Health Organization (WHO) declaring that China was "malaria-free" followed *a seven decade-long, multi-pronged health strategy* that was able to entirely eliminate indigenous cases for four straight years, health experts said. The "malaria-free" certification from *the WHO this week followed a visit in May from an independent panel to verify China's malaria-free status, which requires four consecutive years of reporting no local cases.* The number of malaria cases worldwide in 2019 was around 229 million, according to the World Malaria Report in 2020, with 409,000 lives lost to the mosquito-borne disease. *The 2020 report said the majority of cases were reported in Africa, while India and Southeast Asia recorded a significant drop. Cases in India fell from approximately 20 million to 6 million, according to the 2020 report. The WHO said China is the first country in the Western Pacific region to be declared malaria-free in more than 30 years, following Australia in 1981, Singapore in 1982 and Brunei in 1987.* Takeshi Kasai, Regional Director of the WHO Western Pacific Regional Office, attributed its success to "strong political commitment and strengthening national health systems" allowing it to "eliminate a disease that once was a major



public health problem”. *The effort began in the early 1950s, a time when China was reporting millions of cases annually, starting with a multi-pronged approach of providing anti-malarial medicines while targeting mosquito breeding grounds and using insecticide spraying.* A national effort called ‘the 523 Project’ was launched in 1967 involving more than 500 scientists from 60 institutes, the WHO noted, leading to *the discovery of artemisinin in the 1970s, which is “the core compound of artemisinin-based combination therapies, the most effective antimalarial drugs available today”.* In the 1980s, China began using insecticide-treated nets widely, distributing 2.4 million nets by 1988. Cases began to drop, down to 117,000 in 1990. The number would fall to 5,000 annually by the end of the following decade. With assistance from the Global Fund to Fight AIDS, Tuberculosis and Malaria starting in 2003, China “stepped up training, staffing, laboratory equipment, medicines and mosquito control, an effort that led to a further reduction in cases,” the WHO said.

‘1-3-7 strategy’

It credited China’s public health system offering free of charge diagnosis and treatment of malaria in bringing down cases to zero, as well as *a “1-3-7 strategy” referring to a one-day deadline to report a malaria diagnosis, confirming a case and determining the spread by the third day, and measures taken to stop the spread by the seventh day, along with continued surveillance in high-risk areas.* At the same time, concern over imported cases remains, particularly from Laos, Myanmar and Vietnam, which share a border with the southwestern Yunnan province. The “malaria-free” certification was welcomed by public health experts in China and was welcome news for its health authorities, amid an intense global debate over how they handled the COVID-19 pandemic and scrutiny facing its disease control agencies.

4 MILLION GLOBAL COVID-19 DEATHS: WHERE COUNTS ARE RISING OR FALLING, AND WHY

The world crossed a grim milestone on Wednesday, with Covid-19 deaths crossing the four million (40 lakh) mark. That is more than four times the number of deaths that happen in India in a normal year. Although the daily death count has come down to an extent, between 6,000 and 8,000 deaths are still being reported every day from across the world. India alone is accounting for 800 to 900 of these deaths. With over six lakh deaths until now, the United States has the highest number of Covid-19 fatalities, followed by Brazil (over five lakh) and India, which recently crossed four lakh. India’s share in the global death toll has remained steady, at around 10%, for several months now.

Rising deaths in Latin America

Brazil has been reporting a large number of deaths since August-September last year, and so has Mexico. But in the last few months, countries like Peru, Colombia and Argentina have seen a very sharp rise in Covid-19 deaths. In fact, *Peru has now emerged as the country with the highest number of deaths per million population — nearly 6,000, when the world average is only about 51. India has a per-million proportion close to 300 while the United States has seen over 1,800 deaths per million population. Brazil and Colombia have more than 2,000 deaths per million.* The high fatality rates in countries like Peru and Colombia has triggered global attention towards the Lambda variant of the virus. This variant is the most dominant one in circulation in Latin America, and accounts for



over 80% of all infections in Peru. As of now, the Lambda variant has not been linked to increased fatality, but researchers also note that there haven't been enough studies on this variant.

Vaccines are preventing deaths

The death count is showing a declining trend in the countries with relatively better penetration of vaccines. The US and countries in Europe that have the best access to vaccines are seeing much fewer deaths now, even when there is a rise in the number of cases. In the United Kingdom, for example, the daily count of cases right now is nearly 10 times what it was at the end of May. And yet, deaths have remained at more or less the same level, about 20 to 30 every day, sometimes even lower. In countries like France, Italy or Germany, deaths have been declining steadily. The US has seen both case numbers and deaths fall steadily in the last couple of months. As of now, the country is reporting between 10,000 and 15,000 cases every day, and 300 to 400 deaths.

Overall, deaths are decreasing

The daily count of deaths has been showing a declining trend for the last one month at least, after seeing a big spike in April and May, driven mainly by India's second wave. At that time, close to 15,000 deaths were being reported every day, of which about 4,000 were being contributed by India alone. Since the middle of June, the global death count has been consistently below 10,000. On a few days, it has fallen below 5,000. As of now, the maximum number of deaths are being reported from Brazil, where more than 1,500 deaths are getting recorded every day. Indonesia has been reporting almost as many deaths as India these days. Russia is in the same range.

STUDY LINKS Milder COVID-19 TO PRIOR ENCOUNTERS WITH SIMILAR, LESS VIRULENT CORONAVIRUSES

In Covid-19 patients whose symptoms were mild, researchers found that they were more likely than sicker patients to have signs of prior infection by similar, less virulent coronaviruses. The study, by researchers from the Stanford University School of Medicine researchers, has been published in the journal Science Immunology. The findings suggest that people with Covid-19 may experience milder symptoms if certain cells of their immune systems "remember" previous encounters with seasonal coronaviruses — the ones that cause about a quarter of the common colds children get. These immune cells are better equipped to mobilise quickly against SARS-CoV-2 if they've already met its "gentler cousins", the scientists concluded. They suggested that their findings may help explain why some people, particularly children, seem much more resilient than others to infection by SARS-CoV-2. They also might make it possible to predict which people are likely to develop the most severe symptoms of Covid-19. The immune cells in question are killer T cells. The study showed that killer T cells taken from the sickest Covid-19 patients exhibit fewer signs of having had previous run-ins with common-cold-causing coronaviruses. *Human cells routinely saw up some samples of each protein they've made into tiny pieces, and display those pieces (called peptides) on their surfaces, so that T cells can inspect them. When a killer T-cell notices a peptide that doesn't belong on a cell's surface, it multiplies furiously, and its numerous offspring fire up to destroy any cell carrying these peptides.* The researchers assembled a panel of 24 different peptide sequences that were either unique to proteins made by SARS-CoV-2, or also found on similar proteins made by one or more (or even all) of the common-cold-causing coronavirus strains. They analysed blood samples taken from healthy donors before the pandemic began,

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meaning they'd never encountered SARS-CoV-2 — although many presumably had been exposed to common-cold-causing coronavirus strains. They found that unexposed individuals' killer T cells targeting SARS-CoV-2 peptides that were shared with other coronaviruses were more likely to have proliferated than killer T cells targeting peptides found only on SARS-CoV-2. The T cells targeting those shared peptide sequences had probably previously encountered one or another gentler coronavirus strain, and had proliferated in response, they concluded.

WHY KAPPA VARIANT OF COVID-19 IS LESS OF A CONCERN THAN DELTA

The Uttar Pradesh government on Friday released the findings of the first batch of genome sequencing of the SARS-CoV-2 virus carried out at the King George Medical University in Lucknow. Of the 109 samples that were analysed, 107 turned out to be the widespread Delta variant, while the remaining two were the Kappa variant. While the Delta variant has been widely discussed because it is now the dominant strain in circulation in the Indian population, the Kappa variant has not been talked about much. But that is only because it used to be known by a different name earlier. The World Health Organization (WHO) gave it the name Kappa only a few weeks ago. By now, its presence in the Indian population has decreased.

What are Delta and Kappa variants of Covid-19?

The Delta and Kappa variants are actually siblings, the direct descendants of a variant that earlier used to be referred to as the double mutant, or B.1.617. Previously, the major variants of coronavirus were referred to by the name of the country where they were first known to have emerged. Thus, they used to be called by names such as "UK variant", "South Africa variant", and "Brazil variant", while the double mutant B.1.617 used to be called the "India variant". To end such linkage with specific countries, which was leading to name-calling and blame game, the WHO named these significant variants after letters of the Greek alphabet at the end of May. But by that time, the B.1.617 variant, commonly referred to as the double mutant, had already mutated further into three significant variants. Scientifically, they are referred to as B.1.617.1, B.1.617.2, and B.1.617.3. *The B.1.617.1 was named Kappa, while the B.1.617.2 became Delta.* No specific name was given to the B.1.617.3 because it was not very widespread. *The variant that emerged in the UK (B.1.1.7) was called Alpha; the variant first reported in South Africa (B.1.351) became Beta; while the so-called "Brazil variant" (P.1) was named Gamma.* These names were given only for easy reference in public discussions. They continue to have more formal scientific names. The Kappa variant found in a few samples in UP is, therefore, not a new emergence. It has been present in the Indian population for several months now.

No cause of concern

Uttar Pradesh officials also emphasised that the Kappa variant was not a new threat, and that it had earlier been found even in the samples collected from the state. "These are not a new variant so not of concern for us. We have had cases of Kappa variant since April and there is nothing to worry about," said the state's Additional Chief Secretary (Health), Amit Mohan Prasad. In fact, *the Kappa variant has earlier been assessed to be less dangerous than the Delta variant.* That is also one of the reasons for the Delta variant becoming the most dominant one in the Indian population right now. *Their parent lineage (B.1.617, or the double mutant) was first detected from samples in Vidarbha, and was considered to be the main reason for the second wave of infections in India.* This



variant was found to be faster transmitting than the previous mutants circulating in the population. It later turned out of the three sub-lineages that had emerged from B.1.617, the Delta variant was the most transmissible, and therefore the most widespread. *Even at the WHO, Kappa is classified only as a “variant of interest”, while Delta is a “variant of concern” signifying that it is a far bigger threat.* Although initially concentrated in Maharashtra, the Delta variant spread to most other states in due course. *The Kappa variant was also being discovered but its prevalence is far less than that of Delta variant.*

LAMBDA, A COVID-19 VARIANT OF INTEREST

Even as the Delta variant of the SARS-CoV-2 coronavirus continues to drive the rise in infections around the world, another variant, Lambda, is increasingly being seen by scientists and health experts as a new emerging threat. On June 14, the World Health Organization designated the Lambda variant, previously known by its formal scientific name *C.37, as the seventh and newest “variant of interest”,* meaning it was something to watch out for. Like the Delta variant, the Lambda variant, which has now been detected in more than 25 countries, is feared to be more transmissible than the original virus, although it is not yet established because of lack of enough studies on it. *It has been the dominant variant in Peru and other countries of South America.* The Lambda variant has not yet been found in the Indian population, but has recently been detected in the UK and other European countries.

Lambda is not a new variant of Covid-19

The Lambda variant is not a new emergence. It has been around at least since last year, possibly as early as August 2020. *In Peru, where it is believed to have originated, it accounts for almost 80% of the infections. It is the dominant strain in neighbouring Chile as well.* But until recently, it was largely concentrated in a handful of South American countries, including Ecuador and Argentina. Since the end of March, this variant has been detected in more than 25 countries, although the numbers are still very small. The UK, for example, said it had found this variant in six infected people, all international travellers. Recently, it has also been found in Australia.

Many significant mutations

According to the WHO, the Lambda variant has at least seven significant mutations in the spike protein (the Delta variant has three) which could have a range of implications, including the possibility of increased transmissibility or enhanced resistance to antibodies, created either through natural infection or vaccination. *A recent study by researchers at the Chile reported that the Lambda variant had greater infectivity than the Alpha and Gamma variants (known to have originated in the UK and Brazil respectively). The study also reported decreased effectiveness of the Chinese Sinovac vaccine (Coronavac) against the Lambda variant.* However, the behaviour of the Lambda variant is not very well understood right now.

But, the designation as a “variant of interest” means that the genetic changes involved are predicted or known to affect transmissibility, disease severity, or immune escape. It is also an acknowledgement of the fact that the variant has caused significant community transmission in multiple countries and population groups. There are currently seven variants, including the Lambda, that the WHO classifies as “variants of interest”. Another four – Alpha, Beta, Gamma and



Delta – have been designated as “variants of concern”, and are considered a bigger threat. These were all recently named after letters of the Greek alphabet to avoid linkage with the country of their origin that had been happening until then.

Should India worry about the Lambda variant?

The Lambda variant has so far not been found in India or neighbouring countries. In Asia, only Israel has reported this variant until now. But several countries in Europe from where travel to India is frequent, including France, Germany, UK, and Italy have reported this variant. The potential of emerging variants to bypass the immunity gained through vaccination means that there could be fresh waves of infections even in populations that were being considered close to reaching community-level protection. That is what is happening in many countries in Europe right now, particularly in the UK. There has been a sharp rise in cases in several countries in the last few weeks. That means that a country like India, which is still recovering from the debilitating second wave, would need to proactively watch out for, and prevent the spread of any new variant that could trigger a fresh wave.

THE MUTATIONS THAT HELP EPSILON VARIANT EVADE THE BODY'S IMMUNE RESPONSE

In the Epsilon variant of the SARS-CoV-2 coronavirus, three mutations in the spike protein have been found to dampen the neutralising potency of antibodies induced by vaccines or past Covid infections. The mutations also reduce the effectiveness of antibodies from the plasma of vaccinated people, researchers have found. Their findings have been published in Science. *Epsilon cases have been widespread in the United States and reported in at least 34 other countries.* In an international project led by the University of Washington in Seattle and Vir Biotechnology, scientists visualised this variant's infection machinery to see what is different from the original configuration of the pandemic coronavirus, and what the implications of these changes are. The researchers tested the resilience against the Epsilon variant of plasma taken from people who were exposed to the virus, as well as people who had been vaccinated. *The neutralising potency of the plasma against the Epsilon variant of concern was reduced about 2 to 3.5 fold.* The researchers found that the Epsilon mutations were *responsible for rearrangements in critical areas of the spike protein*; electron cryomicroscopy studies showed structural changes in these areas. One of the three mutations *affected the receptor binding domain on the spike protein. This mutation reduced the neutralising activity of 14 out of 34 neutralising antibodies specific to that domain, including clinical stage antibodies.* The other two mutations affected the N-terminal domain on the spike glycoprotein. This resulted in a total loss of neutralisation by 10 out of 10 antibodies tested specific to the N-terminal domain, the researchers found, according to details of the study posted on the University of Washington School of Medicine (UW Medicine) website. The international project was led by David Veessler's lab at the University of Washington in Seattle and by Luca Piccoli and Davide Corti of Vir Biotechnology. For several years, the Veessler lab and its collaborators have been exploring the molecular conformation and infection mechanics of SARS-like coronaviruses. They also examine how antibodies attempt to block infection mechanisms, and how variants come up with new dodges, according to UW Medicine.