CURRENT AFFAIRS FOR UPSC

INTERNATIONAL

SWEDEN'S FRESH START

In appointing its first ever woman Prime Minister, former Finance Minister and member of the Social Democratic Party Magdalena Andersson, Sweden joined other Nordic nations that have had a woman as a leader. Ms. Andersson's entry was unusually dramatic — she was thrust into the prime ministerial berth for scarcely a few hours last week as she had to resign owing to a coalition partner, the Green Party, quitting government after its budget proposal was defeated in the Riksdag. Nevertheless, she went on to secure the top position on a firmer footing after another vote was held where she surpassed the threshold for maximum level of opposition to her prime ministership — she faced 173 'nay' votes whereas it would have taken 175 of those to keep her from taking up the leadership mantle. She takes over from her predecessor, Stefan Löfven, in complex political circumstances, given that he was heading a caretaker government after being defeated in a vote of no confidence in June 2021. Hailing originally from the university town of Uppsala, Ms. Andersson's political innings kicked off in 1996 when she became a political adviser to erstwhile Prime Minister Göran Persson. She embodies the classic Swedish ideal of hard work and rising steadily through the ranks on the merit of her performance, an exceptional achievement given the male-dominated arena of Swedish politics. Yet, Ms. Andersson can hardly afford to rest on her laurels as the road ahead for her government and party may well be a bumpy one. The immediate challenge is of economic governance, and it arises from the fact that the Social Democrats are charged with implementing a budget passed by the Swedish opposition, including the neo-Nazi elements of the right-wing Sweden Democrats Party. While there is cause for cheer given that the opposition budget was based on the government's own proposal, the stumbling block for her administration may be the fact that of the 74 billion kronor that it hoped to spend on reforms, only a little over 20 billion kronor will be available to her government in 2022. This tightening of purse strings could dent her ambitious plans to carry out much-needed social reforms, especially in the areas of climate change, welfare policies and measures to combat gang violence and organised crime activity, both of which have risen alarmingly in recent years in cities such as Stockholm, Malmo and Gothenburg. While some analysts consider Ms. Andersson to be not opposed to dealing with right-wing parties, they acknowledge that her position "softened", during the pandemic, manifested in greater willingness to borrow to fund green investments, and in allowing the state to have a greater control of the welfare sector. Her ability to build bridges with the opposition while yet staying true to the Social Democrats' core party values will define her legacy.

MIXED COLOURS

For the first time in 16 years, Germany will have a Social Democrat as Chancellor with three parties from opposite ends of the political spectrum agreeing to form a coalition that will end the era of Angela Merkel. In the run-up to the elections, not many expected that Olaf Scholz, leader of the Social Democratic Party (SPD) that is a junior partner in Ms. Merkel's coalition, would succeed her. The SPD, Germany's oldest political party that placed itself as a centrist platform with a focus on social security measures, has faced an identity crisis of sorts as Ms. Merkel emerged as the country's quintessential centrist leader. On the other side, a relatively new leftist party, Die Linke, ate into the SPD's traditional leftist base. This year's election, whose main theme was to pick Ms. Merkel's successor, opened political opportunities. While Ms. Merkel's conservative Christian Democrats (CDU) tried to turn the Chancellor's popularity into votes with the message of

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continuity, the SPD, under Mr. Scholz, who is the Finance Minister in the outgoing government, promised incremental reforms, including higher spending, while not completely disowning Ms. Merkel's legacy. Results showed that he was more successful than his contenders in persuading reluctant voters. After taking a narrow lead over the CDU, the SPD started coalition talks with the Greens and the pro-business Free Democrats (FDP) to form a 'traffic light' coalition (named after the colours of the parties). The pace and the discipline with which the parties announced the coalition suggest that they are serious about forming a stable government. Each party has gained and conceded something in the coalition agreement. The SPD got the green light for its proposal to raise minimum wages from about €10 to €12 an hour. It has also proposed to build some 400,000 housing units to cool the housing market. The parties also agreed to phase out the use of coal for electricity production and increase the share of renewables to 80%, by 2030. In return for the FDP's support for their spending and climate agenda, the Social Democrats and Greens agreed not to raise taxes. While the coalition agreement clears the way for government formation, it does not mean that governance would be smooth for Mr. Scholz. He lacks Ms. Merkel's popularity and has to lead a diverse coalition that was formed based on convenience and compromise rather than any ideological commonality. Germany also faces economic, political and geopolitical challenges — from the COVID-19 crisis to cracks in the EU and challenges emanating from an aggressive Russia. His success as an administrator would depend on his ability to balance the competing agenda of the three parties and to put forward a common governance programme for Germany.

IN BORDER STAND-OFF, A MANUFACTURED REFUGEE CRISIS

Tensions have flared in Eastern Europe and on the Belarusian-Polish border with thousands of asylum seekers attempting to enter Poland, which constitutes the external border of the European Union (EU). Belarus is accused of permitting visa-free entry to refugees, in particular Kurds, from the war-torn West Asia and encouraging their passage to the EU border. Since the EU's external border constitutes its only line of defence against unwanted migrants, Poland used water cannon and tear gas to repel the asylum-seekers, and except for the gravely ill, those who breached the border have been pushed back. In freezing conditions, some 15 or more refugees have died. This crisis and escalation of rhetoric between the EU, Poland, Belarus, Russia and Ukraine subserve aspects of the foreign and domestic agendas of all these governments. For Belarus President Aleksander Lukashenko, under sanctions by the EU since last year's election when he secured a sixth dubious term, this is brinkmanship with both the EU and Russia. Belarus has economic and military alliances with Russia, effectively making it the Russian last frontier against an encroaching North Atlantic Treaty Organization (NATO). While Belarus is entirely dependent on Russia, this does not preclude a client state from proving a difficult partner. North Korea is troublesome for China, Haiti for the United States, and there are other examples nearer home. Mr. Lukashenko even threatened to block the pipeline transporting Russian gas through Belarus to the EU, a threat speedily negated by Moscow.

A focus on the EU

President Lukashenko denies inviting migrants to Belarus, instead blaming the EU for closing its borders. He seeks to pressure the EU with a scenario akin the 2015 refugee crisis, when the EU gave money and non-financial incentives to Turkey and certain Libyan warlords to restrain the migration exodus. Finding these tactics blocked, he proposed that Germany take in 2,000 refugees while 7,000 others would be repatriated, but this was rejected, and the majority of migrants are refusing to go home. Politicians in West and East Europe accuse Moscow as instigator of the crisis amid claims that Russia is about to invade Ukraine. It defies logic why Russia would stage a crisis

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with Germany, the destination of the asylum seekers, and invade Ukraine, when procedures are afoot to certify Nord Stream 2, a pipeline to deliver gas to the EU bypassing Ukraine and Belarus. The argument of instigating Russia into reckless action involving Belarus and Ukraine in order to derail Nord Stream 2 makes much more sense, particularly from an American viewpoint. After initially declaring that it saw no evidence of Russian mobilisation, Ukraine changed tack and endorsed NATO claims of an imminent invasion. Russian grievances concern the use of Turkish-built drones in the Donbass breakaway provinces of Donetsk and Luhansk, and provocative NATO activities close to its land and sea borders. The 2015 Minsk agreement was designed to end the conflict in Donbass through provincial elections, decentralisation and the restoration of socio-economic relations between Kiev and the breakaway self-styled republics, but there has been no constitutional amendment, no elections, and Donbass is subject to an economic blockade. Moscow has evidently lost hope in Kiev observing the Minsk agreement for substantial regional autonomy. Russian President Vladimir Putin's decree of 2019 allowed Donbass people to claim Russian citizenship, and the latest Kremlin moves to integrate Donbass economically, will turn Ukraine's east, like Crimea, slowly into a de facto Russian region.

Warsaw's stance

Poland seems the unwilling victim of the tactics of Belarus, but the refugee crisis is a godsend for Warsaw when both Poland and the EU are entangled in a bitter dispute over the rule of law after Poland's Constitutional Tribunal invalidated some provisions of the EU Treaty. Contrary to EU's principles, Warsaw promotes 'traditional values' which include homophobic legislation, LGBT-free zones and a ban on abortions. Poland has imposed a ban on journalists and NGOs within three kilometres of its frontier, and is under criticism from human rights groups and the Council of Europe, but the tension affords Warsaw scope to boost anti-Russian rhetoric and proclaim itself a defender of Europe, despite anti-immigrant tirades being a staple of its far-right politics. The border problem also gives the EU the opportunity to prove its worth to Poland by extending its fulsome support.

The larger issue

The crisis on the Belarus-Poland border is symptomatic of the wider refugee problem. In recent months the United States has turned away Haitians, Thailand Burmese, India Rohingyas and Afghans. More than 25,000 people arrived in Britain by sea this year, causing British Prime Minister Boris Johnson to fulminate against France's failure to stem the refugees of whom 27 drowned recently. The migrant crisis is not confined to a few countries, has led to wars like the one between India and Pakistan 50 years ago, and requires corrective action at the transnational level. There are now an estimated 26 million refugees in the world and no country has a creditable record on this issue.

LEFTIST HOLDS COMMANDING LEAD IN HONDURAN PRESIDENTIAL VOTE

Leftist Opposition candidate Xiomara Castro held a commanding lead early on Monday as Hondurans appeared poised to remove the conservative National Party from power after 12 years of continuous rule. Ms. Castro declared herself the winner despite orders from the National Electoral Council to political parties to await official results. "We win! We win!" Ms. Castro, Honduras' former first lady who is making her third presidential run, told cheering Liberty and Re-foundation party supporters when only a fraction of the ballots had been tallied. "Today the people have obtained justice. We have reversed authoritarianism." She is set to become the first woman President of Honduras. The National Party also quickly declared victory for its candidate,

Tegucigalpa Mayor Nasry Asfura, but the early returns were not promising. By early Monday, Ms. Castro's wide early lead was holding up. With 51% of the polling station tallies in, Ms. Castro had 53% of the votes and Mr. Asfura 33%, according to the National Electoral Council preliminary count. With more than 1.8 million votes counted, Ms. Castro held a margin of more than 3,50,000 votes. The council said the turnout was more than 68%. The capital awoke slowly on Monday after a long night of celebration. Streets were void of the usual work week traffic and instead conveyed the quiet calm of a holiday morning. As stacks of newspapers hit the sidewalks around the city, it was clear the country's major outlets could not resist giving the victory to Ms. Castro despite warnings from the National Electoral Council to wait for official results. Along Morazan Boulevard where thousands partied into the early morning, businesses remained boarded, still uncertain of whether it was safe to open. Graffiti poked a finger in the eye of the National Party, urging its leaders, especially outgoing President Juan Orlando Hernández to hurry toward the exits.

BARBADOS, BY THE PEOPLE

At the stroke of the midnight hour, the republic of Barbados was born. The Caribbean island nation, 55 years after its independence, got rid of the remnants of colonial rule by separating from Britain — Queen Elizabeth is no longer the head of state. In one sense, being a part of the British empire — as Canada, Australia and 15 other realms continue to be — was merely a symbolic vestige of colonialism. But some symbols carry in them the memories and structures of violence and inequality, and are examples of how the world order continues to be determined by them. Barbados was a part of the British Empire for over 400 years, a link in the lines of trade, commerce and oppression that English mercantilism and colonialism fostered for centuries. Slaves, indentured labour, a lack of democracy — the Caribbean was home to some of the most institutionalised and invisibilised horrors in history. Today, the new republic faces an economic crisis because of supply lines being disrupted thanks to the pandemic. Meanwhile, the countries that ravaged the economies of their colonies have continued to prosper, in no small part thanks to that wealth. But the declaration of a republic is more than repudiation. It is an acknowledgement, as the country's first president, Sandra Mason put it, that "We the people are Barbados". And the fact that Charles Windsor, next in line for the British throne, attended and supported the celebration in Barbados is a sign, hopefully, that the old hurts may be a thing of the past. However, for many in the Caribbean — including in Barbados — and beyond, the inequalities of the colonial past continue to determine their present. The British Royal family, for example, made a substantial amount of money from the slave trade. The demand for reparations is based on that reality.

IRAN 'DETERMINED' TO SALVAGE NUCLEAR DEAL AS TALKS RESUME

International talks on Iran's nuclear programme restarted Monday after a five-month hiatus with Tehran "determined" to reach a deal as analysts warn of major obstacles to any speedy resumption of the 2015 nuclear deal. Iran paused the negotiations in June after the election of an ultraconservative new President, Ebrahim Raisi. Diplomats at the time had said they were "close" to an agreement. Iran ignored appeals from Western countries to restart the talks for several months, all the while strengthening the capabilities of its nuclear programme. In August, Mr. Raisi said Iran was again open to talks. The talks started just after 3 p.m. in the Palais Coburg hotel where the 2015 agreement — known as the Joint Comprehensive Plan of Action (JCPOA) —was clinched. Along with Iran, diplomats from Britain, China, France, Germany and Russia are attending. The United States is taking part in the talks indirectly. On Monday, Iran said it had "a firm determination to reach an agreement and is looking forward to fruitful talks". "If the other

side shows the same willingness, we will be on the right track to reach an agreement," said Iranian Foreign Ministry spokesman Said Khatibzadeh. Last week, U.S. Special Envoy for Iran Robert Malley said Tehran's attitude "doesn't augur well for the talks". "If they start getting too close, too close for comfort, then of course we will not be prepared to sit idly," Mr. Malley told the U.S. National Public Radio.

Back on track

The EU, which is chairing the talks, said on Monday it was "crucial to pick up from where we left it last June, and that all sides work swiftly and constructively to bring the JCPOA back on track as soon as possible". The JCPOA offered a lifting of some of the array of economic sanctions Iran had been under in return for strict curbs on its nuclear programme. But the deal started to unravel in 2018 when then-U.S. president Donald Trump pulled out and began reinstating sanctions on Iran. The year after Mr. Trump's move, Iran retaliated by starting to exceed the limits on its nuclear activity laid down in the deal.

AFGHANISTAN, THE RISE OF A NARCO-TERRORIST STATE

India's anxieties over ungoverned spaces and lawless Afghanistan turning into a significant source of internal security threat are gradually turning into reality. According to a report by the United Nations Office on Drugs and Crime (UNODC), opium production in Afghanistan has crossed 6,000 tonnes for the fifth consecutive year. The reported rise in global opium prices has resulted in the exponential production of opiates increasing by 8%. The Taliban, cash-strapped and still looking to establish a semblance of order in the country they captured in August 2021, could indeed be looking to generate revenue from the illegal cash crop, as cases of smuggling and seizures of large consignments of drugs in India have started increasing, indicating a turn towards this trend.

Almost a free-for-all

For the past several decades, Afghan opiates have entered India through circuitous routes, sea as well as air, involving Pakistan, Sri Lanka, African countries such as Mozambique and South Africa, and Qatar. Carriers of drugs, individuals arrested in various airports in the country with small quantities, as well as the massive recoveries made in various States of western India, have only been the proverbial tip of the iceberg. The huge recoveries of heroin in Gujarat alone — 3,000 kilograms in September and 120 kilograms in October — bear testament to the fact that the fall of Kabul and its capture by the Taliban may have initiated free-for-all narcotic smuggling waves, which unless checked, have the potential of destabilising India's security.

A mammoth 'illicit' economy

The fact that, under the Taliban, opium production would increase in Afghanistan was a foregone conclusion notwithstanding the initial statements by the Taliban leadership to gain international recognition. Over the years, the Taliban have minted money from this sector, by promoting its production, taxing it and also by overseeing its smuggling either into Pakistan or Iran, thereby building a mammoth illicit economy with strengthening linkages to terrorist groups as witnessed in the cases of the Organization of Al-Qaeda in the Islamic Maghreb (AQIM), the Islamic State, the Revolutionary Armed Forces of Colombia (FARC), Hezbollah and others. According to United Nations officials, the group likely earned more than $400 million between 2018-19 from the drug trade. The trend appears to have remained unchanged as in May 2021, a report by the United States Special Inspector General for Afghanistan Reconstruction (SIGAR) estimated that the

Taliban derive up to 60% of their annual revenue from illicit narcotics. Notwithstanding the handful of European States where the domestic narcotics trade is well regulated, accompanied by official policies that consider access to narcotics as a matter of individual right, there is a global consensus that narcotics itself can devastate societies and money derived from the narco-trade can fuel organised crime and terror activities.

The world seems oblivious

However, in today's Afghanistan, the Taliban seem to be taking advantage of the vacuum and detached attitude of the international community. This could partly be rooted in the global failure in adopting an appropriate counternarcotic policy to rein in the narco-trade originating from Afghanistan between 2001 and 2020. The rise of a narco-terrorist state will have serious consequences for the U.S., Europe and the region. The UNODC's achievement in this regard was limited to ensuring a minor dip in the area under poppy cultivation and production of opium. Promotion of alternate livelihood programmes and pushing farmers to grow other cash crops largely failed due to a variety of reasons. These included the limited reach of the central government in Kabul and a punitive policy advocated by the international community which sought the use of force to destroy standing opium crops without adequately compensating the farmers or providing them with alternative livelihoods. As a result, not only did the narco-infrastructure in Afghanistan remain largely intact but it also flourished by having developed a symbiotic nexus and indigenous facilities to produce methamphetamine pills. As the United States and the international community gradually sought to extricate themselves from the Afghan quagmire, production shot up and is projected to spike in the coming years.

Implications for India

Organised crime develops its own survival and thriving dynamics. Countries with the best of intentions and abilities fail to turn the tide, which is fuelled by such an unholy nexus. Afghanistan, where neither the intention nor the ability to disrupt the trade exist, is emerging as a major narco-empire. Some of the members of the Taliban regime, particularly the Haqqani network, share well-documented connections with the organised crime network. Whether the global community in general and countries such as India in particular afford to take a detached view towards the enveloping situation remains a critical question. From New Delhi's perspective, its efforts to curb terror finance at home would achieve only limited results if anti-India groups such as the Lashkar-e-Taiba and the Jaish-e-Mohammed, now yet again operating in Afghanistan, manage to tap into the money from such narco-trade.

Outreach to the Afghans

The antidote to this phenomenon is a legitimate, responsible, empowered, and inclusive government in Kabul. Economic collapse of the Afghan state and the evolving humanitarian crisis must be prevented. Reaching out to the Afghans and amplifying their voices in having a government that is legitimate and acceptable to them would be a first step in the right direction. While the Delhi Regional Security Dialogue on Afghanistan (November 10, 2021) did try to reach out to the regional countries, India should look for new alliances in Central, West, and South Asia to stitch a coalition of the willing. It is time for New Delhi to step up and reach out to the larger sections of Afghan society including women and civil society groups, political leaders and business groups, who are looking for assistance in having a legitimate, representative and inclusive leadership in their country. A failed state in the neighbourhood combined with narco-terrorism cannot be ignored and will have serious consequences for India's security in the days to come.

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SRI LANKAN TROOPS BREAK UP TAMIL MEMORIALS TO WAR DEAD

Armed troops broke up Tamil memorials to Sri Lanka's civil war dead and beat up journalists covering a ceremony in a former battle zone, residents and media organisations said on Monday. Grieving relatives were forced out of cemeteries on the weekend as they attempted to light lamps at graves of loved ones who died in the island's decades-long conflict, which ended in 2009. The Federation of Media Employees' Trade Unions said Tamil journalists covering a memorial in Mullaittivu, a northeastern fishing town where the war's final battle was fought, were assaulted by troops.

Stick with barbed wire

"Soldiers used a palm stick wrapped with barbed wire to assault a photojournalist covering the events," the media outfit said in a statement. It added that reporters in northern and eastern Sri Lanka, where the island's minority Tamil community is concentrated, have been subject to "constant harassment" by security authorities. The police said they were investigating a complaint of assault made by journalists in Mullaittivu. Sri Lanka's 37-year civil war began in 1972 when the Tamil Tigers waged a bloody campaign against government troops for a separate ethnic homeland.

'Heroes Day'

November 27 was from the late 1980s commemorated as "Heroes' Day" by the Tigers to honour members of the militant group who died in the conflict. But President Gotabaya Rajapaksa's Government has banned Tamil commemorations of the war dead since coming to power in 2019. Mr. Rajapaksa was defence chief when the Tigers were defeated in 2009 while his brother Mahinda Rajapaksa was President, winning them adoration from much of the majority Sinhalese population. The separatist war cost the lives of more than 1,00,000 people, according to United Nations estimates. The UN accused Sri Lankan forces of killing at least 40,000 Tamil civilians in its military campaign, an allegation denied by successive Governments.

NEW HORIZONS

The inclusion of two more South Asian countries, Nepal and Bangladesh, for graduation into the category of "developing countries" marks a significant milestone for these two countries. The UN General Assembly resolution accepting the recommendation of the Economic and Social Council's Committee for Development that these two countries (and Laos), categorised until now as Least Developed Countries meet the criteria to be called "developing" countries is a measure of the success of their policies towards achieving some development goals. This year, as laid down by the CDP, the criteria were per capita Gross National Income of $1,018 and above; a high score of 60 on the Human Assets Index, which includes a health index and education index; and a low score of 36 on the Economic & Environmental Vulnerability Index. Countries must meet at least two of the criteria in order to qualify for inclusion in the developing countries category. The markers for the "graduation" itself are higher. However, the change in category is a double-edged sword. It could give rise to disruption in a country's development as the very enablers that have helped it come this far are no longer available to it. As an LDC, a country gets trade related concessions including market access, and development assistance, technical assistance and special pathways to participate in international processes. It is in recognition of the reality that withdrawing such benefits suddenly could plunge the country back into LDC conditions, that graduating countries are given a transition period during which most of the benefits available to LDCs remain available

to graduating countries. Usually, the transition period is three years, but this time, in view of the economic, social and other disruptions caused by Covid-9, the UN General Assembly has taken the right step by giving five years. The LDC category, created and formally endorsed at the 26th session of the UN in 1971, recognises that some countries suffer from structural impediments to growth, and that it is the responsibility of the international community to ensure that these countries do not get left behind. It is not acknowledged as often as it should be that the improvement in the economic and social prospects of the people of a country can only benefit other nations, particularly those in its neighbourhood. For a region that has received two big shocks this year, in Afghanistan, and Myanmar — both are LDCs — the stabilisation of India's population growth, the inclusion of Nepal and Bangladesh for graduation as developing countries, plus the scheduled graduation of Bhutan in 2023, are all positive developments.

HAVE INDIA AND U.S. RESOLVED TARIFF AND VISA ISSUES?

U.S. Trade Representative Katherine Tai and India's Commerce and Industry Minister Piyush Goyal this week co-chaired the U.S.-India Trade Policy Forum, which was reconvened after a gap of four years. Resolving to take economic ties to the "next high level", the two sides exchanged views on 'potential targeted tariff reductions' and decided to activate the forum's working groups on agriculture, non-agriculture goods, services, investment, and intellectual property.

What is the agreement on digital services?

Both countries said they had reached an agreement on a transition from the existing Indian equalisation levy on digital services as part of the new multilateral tax solution under the OECD/G20 Inclusive Framework. This, the U.S. Treasury Department said, would allow the U.S. to terminate measures adopted in response to the Indian equalisation levy.

Why is the resumption of trade talks significant?

The resumption of the Trade Policy Forum and the decision to activate the working groups augur well for trade ties to the extent that the two sides now have a mechanism to come to grips with their differences, lay out their positions and work towards reaching negotiated compromises. The aim is to arrive at solutions to multiple contentious issues.

What are the major issues dogging the ties?

A February 2020 article by Alyssa Ayres of the New York city-based Council on Foreign Relations, titled 'A field guide to U.S.-India trade tensions', lists eight key areas of disagreement. The newest, and in many ways one of the most significant roadblocks, has been the size of the trade deficit that the U.S. faces in its trade relationship with India, an issue that the Donald Trump administration made into a central element of its approach to overall trade policy. In a bid to narrow the deficits, which for merchandise trade with India stood at about $23.5 billion in 2019, the Trump administration had in 2018 imposed new tariffs on steel and aluminium imports from several nations, including India. The Indian Government, in turn, announced retaliatory tariffs that it then subsequently operationalised after the U.S. removed India from the list of developing countries eligible for favoured access under its Generalized System of Preferences (GSP). The tariff increases are still in place, and on India's stand seeking restoration of the GSP, the U.S. has sought to toss the onus on a decision to its lawmakers in Congress. The other major sticking points pertain to agricultural products, an area where the differences have appeared most intractable and abiding over time, including the U.S. demand for market access for its dairy products, and intellectual

property rights, which is again one of the oldest sources of friction. It harks back to the U.S. first putting India on its 'priority watch list' of countries with serious deficiencies in protecting IPR under its Special 301 report. Other issues are investment barriers, Indian price controls on medical devices, the digital economy and its related taxation issues, and vitally for New Delhi, the U.S. approach to visas for India's professionals and skilled workers in the services sector.

How have the two sides sought to reduce friction?

India's decision to join the OECD/G20 Inclusive Framework on adopting a common multilateral approach to taxation has helped engender a solution to one of the roadblocks: the government's decision to transition the equalisation levy it imposed on e-commerce transactions over time gives the U.S. side room to withdraw or substantially lower some of the tariffs it had raised as a response. The ministerial-level talks also led to some decisions to ease access for some select agricultural products from both sides. Separately, India has adopted the Trade Margin Rationalization approach to price regulation on certain medical device products as a means to protect both consumer and supplier interests, and this has been acknowledged by Washington.

NATION

ERRORS OF JUDGMENT

The Allahabad High Court recently held that oral sex with a minor (aged about 10 in this case) is not a case of 'aggravated penetrative sexual assault' under the Protection of Children from Sexual Offences (POCSO) Act. This is shocking as Section 5(m) of the Act clearly lays down that "whoever commits penetrative sexual assault on a child below twelve years" is said to commit "aggravated penetrative sexual assault". Section 6 prescribes punishment with imprisonment for a term which shall not be less than 10 years but may extend to imprisonment for life. Though para 16 of the judgment replicated Sections 3 to 10 of the Act, all verbatim, including Section 5(m), Justice Anil Kumar Ojha, in para 17, concluded that "putting penis into mouth does not fall in the category of aggravated (penetrative) sexual assault or sexual assault". There seems to be a palpable error of law which must be set right quickly.

Protecting children

The POCSO was enacted specially to protect children (of any sex) from offences of sexual assault, sexual harassment and pornography, realising the fact that a large number of such offences were neither specifically provided for nor adequately penalised. The Statement of Objects and Reasons of the Act reinforces the legislative intent, which was made clear by providing neutral definitions and enhanced punishments for various offences of sexual nature. Though Section 42 on 'alternate punishment' was specifically introduced in POCSO to award greater punishment, in case of difference when compared to any other law in force, the Indian Penal Code was also amended to remove anomalies in the quantum of punishment for same or similar offences. Second, there is no ambiguity about the language used in Section 5 of the Act. Recently, the Supreme Court, while dismissing the requirement of skin-to-skin physical contact in cases of sexual assault, held that where the language of a statute was clear, the intention of the legislature was to be gathered from the language used. In the absence of any ambiguity of language used in Section 5 about the definition of 'aggravated penetrative sexual assault', there was no reason for the Court to deviate from the law and award lesser punishment. The 'rule of lenity', though not discussed in the judgment, had no application in the case. Third, it was not a case where the Court had any discretion to award lesser punishment than the minimum 10 years as prescribed in Section 6 of POCSO. Earlier, the Courts had discretion under Section 376 (punishment for rape) of the IPC to award lesser punishment than the minimum prescribed by recording 'adequate and specific reasons'. The Supreme Court, in State of Rajasthan v. Vinod Kumar (2012), set aside the High Court order which reduced sentences less than the minimum without recording 'adequate and special reasons'. However,this discretion was taken away by amending Section 376 of the IPC in February 2013.Since the POCSO Act does not provide any discretion in awarding punishment of imprisonment, the High Court was mandated to adhere to the statutory provisions.

Decision to be scrutinised

Four, the High Court did not deliberate on the reasons for not considering the offence as being of aggravated nature. The age of the victim was recorded as about 10 years and did not fall even under the category of marginal difference from 12 years. The Supreme Court has held that recording of reasons by a judge is not a mere task of formality, but an exercise of judicial accountability and transparency. This makes the decision available for further scrutiny at the touchstone of reason and justice. Five, it was not even a case where the provision of minimum

punishment of 10 years imprisonment for aggravated penetrative sexual assault was under challenge for being disproportionate (to the objective of protecting children aged less than 12 years) as compared to the gravity of the offence under Article 14 of the Constitution. When no such test of reasonableness was under scrutiny, the Court fell into error by not considering the offence under the applicable relevant sections. Despite quoting the relevant sections of 'aggravated penetrative sexual assault', the High Court overlooked Section 5(m) of POCSO and convicted the accused for 'penetrative sexual assault' with lesser punishment. Since monitoring of implementation of the Act is the responsibility of the National Commission for Protection of Child Rights, the State Commission for the Protection of Child Rights, and the State government, this decision, which appears to be per incuriam, must be challenged so that the accused is not allowed to escape from the clutches of the appropriate sections of the POCSO Act.

GOVT. APPOINTS THREE-MEMBER PANEL TO REVIEW EWS QUOTA

The Ministry of Social Justice and Empowerment on Tuesday appointed a three-member committee to revisit the criteria for 10% reservation for economically weaker sections (EWS) in educational institutions and Government jobs, after a rap from the Supreme Court in November. The panel comprises former Finance Secretary Ajay Bhushan Pandey; Member Secretary, Indian Council of Social Science Research, V.K. Malhotra; and Principal Economic Adviser to the Government of India, Sanjeev Sanyal. It has been given three weeks' time to complete its work. The Supreme Court last month observed that the the Centre could not "pull out of thin air" the ₹8 lakh annual income limit to identify economically weaker section for providing 10% quota and questioned if the attempt was to "make unequals equals". The court is hearing petitions challenging the Government notice issued in July which provides for a 10% EWS quota in NEET admissions. The SC will hear the case next on January 6. The NEET all-India quota counselling has been deferred till the next hearing.

EWS CRITERIA RETHINK

The Union Government has decided to revisit the criteria set out for eligibility for its 10% reservation under the economically weaker sections (EWS) category within a month. The main criterion is a family income ceiling of ₹8 lakh. The decision came after the Supreme Court closely questioned it on how it arrived at the income figure, while considering a challenge to the implementation of 27% reservation for the Other Backward Classes and 10% for the EWS under the all-India quota for medical admissions.

How was EWS reservation introduced?

The 10% reservation was introduced through the 103rd Constitution Amendment and enforced in January 2019. It added Clause (6) to Article 15 to empower the Government to introduce special provisions for the EWS among citizens except those in the classes that already enjoy reservation. It allows reservation in educational institutions, both public and private, whether aided or unaided, excluding those run by minority institutions, up to a maximum of 10%. It also added Clause (6) to Article 16 to facilitate reservation in employment. The new clauses make it clear that the EWS reservation will be in addition to the existing reservation. The Constitution initially allowed special provisions only for the socially and educationally backward classes. When the Congress Government tried to introduce a 10% quota for the poorer among the general category, the Supreme Court struck it down, saying there is no provision in the Constitution for reservation on the basis of an economic criterion. Through this amendment, the Government introduced the

concept of 'economic backwardness' for a new class of affirmative action programmes for those not covered by or eligible for the community-based quotas.

What are the criteria to identify the section?

The main criterion is that those above an annual income limit of ₹8 lakh are excluded (income from all sources such as salary, business, agriculture and profession for the financial year prior to the application) of the family (applicants, their parents, siblings and minor children). Possession of any of these assets, too, can take a person outside the EWS pool: five or more acres of agricultural land, a residential flat of 1,000 sq.ft. and above, a residential plot of 100 square yards and above in notified municipalities, and a residential plot of 200 square yards and above in other areas.

What are the court's questions about the criteria?

The court has been intrigued by the income limit being fixed at ₹8 lakh per year, as it is the same figure for excluding the 'creamy layer' from OBC reservation benefits. A crucial difference is that those in the general category, to whom the EWS quota is applicable, do not suffer from social or educational backwardness, unlike those classified as the OBC. Therefore, the question the court has raised is that when the OBC category is socially and educationally backward and, therefore, has additional impediments to overcome, "would it be arbitrary to provide the same income limit both for the OBC and EWS categories." In line with the Supreme Court's known position that any reservation or norms for exclusion should be based on relevant data, the Bench wants to know whether the criteria for the EWS were arrived at based on any study. For instance, whether the per capita income or GDP in all States, or the difference in purchasing power in the rural and urban areas, were taken into account while a single income limit was formulated for the whole country. There are other questions as to whether any exercise was undertaken to derive the exceptions such as why the flat criterion does not differentiate between metropolitan and non-metropolitan areas.

What is the current status of the EWS quota?

The reservation for the EWS is being implemented by the Union Government for the second year now. Recruitment test results show that the category has a lower cut-off mark than the OBC, a point that has upset the traditional beneficiaries of reservation based on caste. The explanation is that only a small number of people are currently applying under the EWS category — one has to get an income certificate from the revenue authorities — and therefore the cut-off is low. However, when the number picks up over time, the cut-off marks are expected to rise. The EWS quota remains a controversy as its critics say it reduces the size of the open category, besides breaching the 50% limit on the total reservation.

SUDHA BHARADWAJ BAIL: HOW HC SPELT OUT LIMITATIONS OF SESSIONS COURT

In granting bail to lawyer-activist Sudha Bharadwaj, an accused in the Elgar Parishad case, the Bombay High Court affirmed that her detention under the Unlawful Activities Prevention Act (UAPA) was extended by a sessions court that had no power to do so. A Bench of Justices N J Jamadar and S S Shinde held that when a special court designated under the National Investigation Agency (NIA) Act, 2008 existed in Pune, the sessions judge had no jurisdiction to extend the detention beyond the stipulated 90 days. This reading of the law on which "court" is competent to

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extend the detention led to the High Court's conclusion that Bharadwaj could be granted default bail.

What is default bail?

The Code of Criminal Procedure sets deadlines for investigative agencies to complete an investigation during which the accused can be kept in custody. If the agency fails to comply with these deadlines, the accused becomes entitled to what is commonly referred to as 'default' or 'regular' bail. Under Section 167 in the CrPC, 1973, the maximum period of detention is 90 days for the highest class of offences — those punishable with death, imprisonment for life, or a term not less than 10 years. However, under the UAPA, a court can extend custody of an accused up to 180 days if the investigating agency seeks more time to probe the case. This makes maximum detention of 180 days a near-certainty for those accused of offences under UAPA, as a court can extend custody beyond the CrPC limits. In the Elgar Parishad case, the legal question to be determined was whether this extension was done by the right court. The accused argued that since the extension was done by a court which had no competence, they were entitled to regular bail on completion of 90 days of pre-trial detention.

How was custody extended in this case?

In November 2018, when the 90-day period of arrest and production before the magistrate had expired, the Public Prosecutor filed for an extension before a sessions judge who then passed an order extension custody. The accused, through information obtained under the RTI Act, showed that the sessions judges who extended custody and took cognisance of the offences were not appointed special judges under the NIA Act by the Centre or the Maharashtra government. During the same time, "Shri Aniruddha Yashwant Thatte, Shri Abhay Narharrao Sirsikar and Shri Shyam Hariram Gwalani, the learned Additional Sessions Judges were appointed as Special Judges/ Additional Special Judges by the Government of Maharashtra for the trial of cases under section 22 of the NIA Act for Pune District vide Notifcations, dated 5th March, 2019, 29th June, 2018 and 11th July, 2017," the High Court noted.

Who is a special judge under the law?

Prior to 2008, under the UAPA, the jurisdiction to try offences punishable with maximum imprisonment of more than seven years vested with the sessions court, and for offences punishable with maximum imprisonment of not more than 7 years, with the Magistrate. In 2008, the NIA Act was passed and the UAPA was also amended. With that, all Scheduled Offences are to be tried exclusively by the special courts under the NIA Act, whether investigated by the NIA or the state government investigation agency. If there are no designated courts, then the sessions court, which is the highest court to try criminal offences, would have jurisdiction.

Why was the extension challenged?

The accused relied on the Supreme Court's 2020 verdict in Bikramjit Singh v State of Punjab. The verdict had held that only a special court had jurisdiction to extend detention up to 180 days under the UAPA. They argued that since the Maharashtra government had designated a special court in Pune at that time, only that court could have jurisdiction. This meant that the sessions judge who extended the custody had no jurisdiction and the order was invalid in law. It would follow that if the extension was invalid, the accused had a right to be granted default bail before the chargesheet was filed. The NIA argued that since it took over investigation pursuant to orders passed by the Centre, only central government-designated courts would have jurisdiction to try the cases. But

in the absence of such courts, the sessions judge rightfully heard the case. The 2020 Supreme Court judgment by a Bench led by Justice Rohinton Nariman was, however, confirmed by subsequent rulings. In September, a three-judge Bench of Justices U U Lalit, Bela Trivedi and S Ravindra Bhat said that only in the absence of special courts can a sessions court extend custody under UAPA. Relying on the SC rulings, the Bombay HC ruled in favour of the accused.

Why did the Bombay High Court refuse bail for the other accused?

While the court held that the extension of their custody was without legality, it did not strike down the orders since the state was able to prove that they were passed in "good faith" and without "any prejudice to the accused." The court also held that since only Bharadwaj had filed for default bail at that time while the remaining accused did not, only she was entitled to bail.

PIQUE AND PETULANCE

In filing a quick appeal against the grant of statutory bail to lawyer-activist Sudha Bharadwaj, the NIA has displayed nothing but pique and petulance over a well-reasoned order of the Bombay High Court. The bail order itself is a much-delayed relief, considering that the right to 'default bail' had accrued to her as early as January 2019, on completing 90 days in prison and when there was neither a charge sheet nor a lawful order extending the time limit for filing it from 90 to 180 days. The High Court is right in concluding that the Sessions Court had no jurisdiction to grant such an extension, and subsequently take cognisance of the charge sheet filed in February 2019, when a duly constituted Special Court under the NIA Act was already functioning in Pune. Further, the court has given the benefit of default bail — an indefeasible right under Section 167(2) Cr.P.C. that arises when the investigating agency fails to submit its final report within the stipulated period — only to Ms. Bharadwaj, as only her application was pending at that time; while eight others had not specifically sought bail on that ground, even though they had questioned the legality of the manner in which the court had taken cognisance of the case against them. On this, case law favours the view that if one fails to seek statutory bail at the appropriate time, and a charge sheet is laid subsequently, the right to default bail is extinguished. The NIA's appeal exemplifies the hard-line approach of the Union government in prosecuting the Bhima Koregaon case under the Unlawful Activities (Prevention) Act based on a dubious premise that some violent incidents that occurred in the aftermath of the Elgaar Parishad event, on December 31, 2017, were part of a sinister Maoist conspiracy. A local investigation against the attack on a commemoration event organised by Dalits transmogrified into an anti-terrorism probe. After convincing the Supreme Court that it was not a case of suppression of political dissent, the Centre pursued the probe vigorously, and got bail denied to everyone — save for a temporary respite on medical grounds to Telugu poet-activist Varavara Rao. There is also no sign of an early trial. One of those held, Father Stan Swamy, succumbed to illness exacerbated by prison conditions. There are reports that some of purported evidence in this case may have been planted remotely on their devices. It is unfortunate that courts seem to be considering bail only on medical grounds, and in this one case, on the ground of default. It is time they examined the merit behind the sweeping claims in the charge sheet and also took heed of Supreme Court judgments that have granted bail even under UAPA if the trial is unlikely to be completed in the foreseeable future.

PROTECT, DON'T PANDER

The 'heckler's veto' seems to be winning repeatedly against stand-up comedian Munawar Faruqui. Bengaluru has joined the list of cities in which Mr. Faruqui cannot perform because right-wing

Hindutva groups routinely threaten to disrupt his shows, wherever they are scheduled to be held. The Bengaluru city police asked the organisers to put off a show on November 28, alleging that allowing it to go on would create law and order problems and disrupt peace and harmony. Mr. Faruqui was unjustly arrested in Indore in January after a BJP functionary's son complained that he was about to denigrate Hindu gods in a planned show. He had to spend 37 days in prison before obtaining bail from the Supreme Court for remarks that had not been made in a show that did not take place. It is this case, in which the police arrested even local organisers and those selling tickets for the show and had nothing to do with the content of his performance, that has been cited by the Bengaluru police while voicing fears about the consequences of allowing the show to be held. Earlier, programmes in which he was due to perform in Raipur, Mumbai, Surat, Ahmedabad and Vadodara were called off for the same reason. It is a telling commentary on the state of free speech in the country that anyone can be silenced anywhere by the threats posed by violent and vociferous groups that no regime in the country seems to be able to rein in. In a despairing reaction, Mr. Faruqui has said, "Goodbye! I'm done", indicating that he has no further hope that he would be allowed to exercise his constitutional right to express himself. This is reminiscent of Tamil writer Perumal Murugan declaring his own "death" in a literary sense after being silenced by conservative and religious groups. In Mr. Murugan's case, he was fortunate that the Madras High Court resurrected the author in him with a stirring verdict underscoring the duty of the state to protect free speech and to preserve law and order, instead of placating those who threaten to take the law into their own hands. It is a pity that the police authorities perfunctorily advise authors, speakers and artists to remain silent rather than take proactive steps to protect their fundamental rights. It is true that whenever such issues go before a court of law, the resulting judgments are speech-protective, but the proclivity of the authorities to pander to chauvinist groups is posing a serious threat to free expression in society. The Supreme Court's observation in S. Rangarajan etc. vs P. Jagjivan Ram (1989) that suppressing free speech in response to a threat of demonstration or protest "would be tantamount to negation of the rule of law and a surrender to blackmail and intimidation" seems to have few takers among those in positions of power.

BAD EDUCATION

Questions, even difficult ones, are indispensable to education and learning. That's why it is disturbing to see the Central Board of Secondary Education (CBSE) twist itself into a spot by first calling a question in its Class XII Term 1 sociology test an error, then apologising for it and, finally, promising "strict action" against those "responsible". The multiple-choice question that prompted the CBSE's unnecessary remorse was: "The unprecedented scale and spread of anti-Muslim violence in Gujarat in 2002 took place under which government?" The options for the student to choose were "Congress", "BJP", "Democratic" and "Republican". In a Twitter apology, the CBSE said a question violated guidelines that instruct paper-setters to ensure that "the questions should be academic oriented only and should not touch upon domains that could harm sentiments of people based on social and political choices." The question has been drawn from a chapter in an NCERT textbook for Class XII, which discussed the "two most traumatic contemporary instances of communal violence" — the Delhi anti-Sikh violence of 1984 under a Congress government at the Centre, and the anti-Muslim violence in 2002 Gujarat under a BJP government headed by then chief minister Narendra Modi. The board's distinction between academic worth and "sentiments of people" is a specious one. Why is a question about one of the most shameful episodes of communal violence in India out of place in a sociology paper for Class XII students? Would a question about the 1984 violence under Congress been less objectionable? Or is it the case that someone in CBSE felt that its political masters may not be pleased with the question? That would be a disservice to the CBSE, an autonomous body with a sound record in carrying out

examinations, and proven expertise in drafting syllabus for schools across the country: NCERT, another autonomous body, mostly provides textbooks. It stands for a certain standard of academic worth, as a result of which a CBSE accreditation is aspirational for many schools. That reputation comes from keeping a buffer between political sensitivities and its work as a professional body. By withdrawing a question from a paper, a question about a scar the nation has endured, the CBSE undermines its integrity and autonomy. It must dump its idea of penalising the person/s who set the question paper. It also must set a better example for students. They surely know how to take questions in their stride — so must the CBSE. Telling a child that some questions cannot and should not be asked is bad education.

COMMON ENTRANCE TEST FOR CENTRAL VARSITIES: PLAN, CRITICISM

From the 2022-23 academic session, a common entrance test is likely to be implemented across central universities in India for admissions to undergraduate and postgraduate courses, marking a departure from the current predominant pattern of screening based on class 12 marks. On November 26, the University Grants Commission (UGC) wrote to the vice-chancellors of the 45 central universities that "after detailed deliberations, it was resolved that the Common Entrance Test for UG and PG may be conducted for Central Universities from the academic session 2022-23 through National Testing Agency (NTA)".

The genesis

The Central Universities Common Entrance Test (CUCET) was launched in 2010, a year after 12 new central universities had been set up under the Central Universities Act, 2009. In the year of its rollout, seven new central universities adopted CUCET. Over the years, the list grew, and this year 12 central universities, from Assam to Kerala, held CUCET with the assistance of the NTA, which functions under the Ministry of Education. The UGC has been keen on bringing more central universities under the ambit of the CUCET ever since the National Education Policy, 2020 advocated this.. Last December, the UGC set up a seven-member committee under R P Tiwari , Vice-Chancellor of Central University of Punjab, to prepare a plan to implement CUCET from 2021-22. The committee's report gave the proposal the go-ahead, but the UGC had to shelve the plan due to the Covid-19 pandemic. The latest push came on November 22, when the UGC held a meeting with the vice-chancellors of 45 central universities, following which the letter was sent.

What changes

The test will cover sciences, humanities, languages, arts, and vocational subjects, and is likely to be held at least twice every year.

CURRENT PATTERN: At present, the CUCET papers consist of two segments. Part A tests a candidate's language, general awareness, mathematical aptitude, and analytical skills, while Part B evaluates domain knowledge. Both papers contain multiple choice questions (MCQs). For admission to MBA, LLB and MCA courses offered by some universities, there is one paper comprising 100 MCQs covering English, reasoning, numerical ability, general awareness and analytical skills. The test does not have under its ambit engineering and medical courses that are offered by some of these central universities. These will not be included in the new pattern either.

AFTER EXPANSION: Although the UGC has not yet announced the pattern of the exams once it is expanded, the report of the Tiwari committee holds some clues. It says the test for the undergraduate level would be in two parts. Section A will be a common aptitude test carrying 50

questions, while Section B will be a "domain specific test" comprising 30 questions each from a chosen combinations of subjects. The committee also recommended that to begin with, a minimum 50% of a candidate's CUCET score should be factored in during admissions to undergraduate courses. It will be a computer-based test. The CUCET might also be called Common Universities Entrance Test (CUET) in its proposed new avatar. The Tiwari committee has also recommended that existing policies regarding quotas, subject combinations, preferences etc that govern a particular university will remain applicable even after the rollout of a common test.

The rationale

The NEP, 2020 envisages that a common entrances will test the conceptual understanding and ability to apply knowledge, and will aim to eliminate the need for taking coaching for these exams. The flexibility of the NTA testing services will enable most universities to use these common entrance exams "rather than having hundreds of universities each devising their own entrance exams", which will reduce the burden on the entire education system, it says.

Criticism

Not everyone has welcomed the idea of an overarching common entrance test, though. Disha Nawani, Professor, School of Education, Tata Institute of Social Sciences (Mumbai), agreed that the existing board-exam based screening is leading to unrealistic cut-offs, but felt a common entrance will not be an improvement. "Children come from very different socio-economic backgrounds and to expect them to sit together and tackle a centrally-set paper will not be fair. Eventually it will boil down to mastering the techniques to crack it which coaching institutes offer. As long as we continue to focus on modes of assessment instead of learning, this will be a continuation of the unjust system," Nawani said. Abha Dev Habib, associate professor (Physics) at Miranda House in Delhi, and Ayesha Kidwai, professor at JNU's Centre for Linguistics and former president of its teachers' association, called the proposal an affront to the autonomy of universities. "Many universities offer highly specialised as well as multidisciplinary courses. And using the NET score for admission to PhD programmes is a terrible move. It has no academic rationale and will not promote equality," Kidwai said.

RECAST THIS APPLES-AND-ORANGES RANKING METHOD

The ranking of State-run higher education institutions (HEIs) together with centrally funded institutions such as the Indian Institutes of Technology (IITs), the Indian Institute of Science, the National Institutes of Technology, central universities, etc. using the National Institutional Ranking Framework, or the NIRF (a methodology adopted by the Ministry of Education, Government of India, to rank institutions of higher education in India), is akin to comparing apples and oranges.

The outline, institute data

The NIRF outlines a methodology to rank HEIs across the country, which is based on a set of metrics for the ranking of HEIs as agreed upon by a core committee of experts set up by the then Ministry of Human Resources Development (now the Ministry of Education), Government of India. The rationale to compare State universities and colleges with the Ivy League of India, to which the Central government is committed to sponsoring resources and infrastructure, is inexplicable. The Central government earmarked the sums, ₹7,686 crore and ₹7,643.26 crore to the IITs and central universities, respectively, in the Union Budget 2021. According to an All India Survey on Higher

Education (AISHE) 2019-20 report, there are 1,043 HEIs; of these, 48 are central universities, 135 are institutions of national importance, one is a central open university, 386 are State public universities, five are institutions under the State legislature act, 14 are State open universities, 327 are State private universities, one is a State private open university, 36 are government deemed universities, 10 are government aided deemed universities and 80 are private deemed universities. A close study of this data shows that 184 are centrally funded institutions (out of 1,043 HEIs in the country) to which the Government of India generously allocates its financial resources in contrast to inadequate financial support provided by State governments to their respective State public universities and colleges. Ironically, out of the total student enrolment, the number of undergraduate students is the largest (13,97,527) in State public universities followed by State open universities (9,22,944).

Deficiencies in the focus

The financial health of State-sponsored HEIs is an open secret with salary and pension liabilities barely being managed. Hence, rating such institutions vis-à-vis centrally funded institutions does not make any sense. Interestingly, no agency carries out a cost-benefit analysis of State versus centrally funded HEIs on economic indicators such as return on investment the Government made into them vis-à-vis the contribution of their students in nation building parameters such as the number of students who passed out serving in rural areas, tier-2 and tier 3 cities of the country and bringing relief to common man. While students who pass out of elite institutions generally prefer to move abroad in search of higher studies and better career prospects, a majority of State HEIs contribute immensely in building the local economy. Given the challenges State HEIs face in their day-to-day functioning, the NIRF seems to have taken cognisance of only the strength of institutions while completely disregarding the problems and the impediments they encounter, hence, disallowing a level-playing-field to State universities and colleges vis-à-vis their centrally funded counterparts. It must be noted that 420 universities in India are located in rural areas. Scare resources and the lackadaisical attitude of States preclude such institutions from competing with centrally sponsored and strategically located HEIs.

Ranking parameters

The NIRF ranks HEIs on five parameters: teaching, learning and resources; research and professional practice; graduation outcome; outreach and inclusivity, and perception. To take stock of the situation, let us first analyse two important NIRF parameters in the context of State HEIs. Teaching, learning and resources includes metrics viz. student strength including doctoral students, faculty-student ratio with an emphasis on permanent faculty, a combined metric for faculty with the qualification of PhD (or equivalent) and experience, and financial resources and their utilisation. In the absence of adequate faculty strength, most State HEIs lag behind in this crucial NIRF parameter for ranking. The depleting strength of teachers, from 15,18,813 (2015-16) to 15,03,156 (2019-20), as a result of continuous retirement and low recruitment has further weakened the faculty-student ratio with an emphasis on permanent faculty in HEIs. Research and professional practice encompasses a combined metric for publications, a combined metric for quality of publications, intellectual property rights/patents and the footprint of projects, professional practice and executive development programmes. As most laboratories need drastic modernisation in keeping pace with today's market demand, it is no wonder that State HEIs fare miserably in this parameter as well while pitted against central institutions. Interestingly the share of PhD students is the highest in State public universities, i.e. 29.8%, followed by institutes of national importance (23.2%), deemed universities – private (13.9%) and central universities (13.6%), while the funds State HEIs receive are much less when compared to centrally funded

institutions. As quality research publications and the number of patents filed in State HEIs are contingent on well-equipped laboratories, modern libraries and generously funded infrastructure, it is imperative for policymakers to reorient financial allocation strategies towards State HEIs. Similarly, three other NIRF parameters too offer little opportunity for State HEIs to compete with their better and conveniently placed competitors for ranking. The total enrolment in higher education has been estimated to be 38.5 million — 19.6 million boys and 18.9 million girls (female students constitute 49% of the total enrolment).

Where State HEIs struggle

There is another aspect: State HEIs are struggling to embrace emerging technologies involving artificial intelligence, machine learning, block chains, smart boards, handheld computing devices, adaptive computer testing for student development, and other forms of educational software/hardware to remain relevant as per the New Education Policy. Therefore, when these two are put together, ranking HEIs on a common scale purely based on strengths without taking note of the challenges and the weaknesses they face is not justified. It is time the NIRF plans an appropriate mechanism to rate the output and the performance of institutes in light of their constraints and the resources available to them.

WHAT'S IN UTTARAKHAND'S CHAR DHAM ACT, AND WHY IT IS BEING WITHDRAWN

Chief Minister Pushkar Singh Dhami on Tuesday announced the withdrawal of the Char Dham Devasthanam Management Act. The decision will lead to the abolition of Uttarakhand Char Dham Devasthanam Management Board, which has been facing protests from priests and other stakeholders of four shrines and Vishwa Hindu Parishad (VHP).

What is the Uttarakhand's Char Dham Act and when was it enacted?

The Uttarakhand government in December 2019 — then led by Trivendra Singh Rawat– had tabled the Uttarakhand Char Dham Shrine Management Bill, 2019, in the state Assembly. The bill was aimed at bringing the Char Dham of Badrinath, Kedarnath, Gangotri and Yamunotri and 49 other temples under the purview of a proposed shrine board. The bill was passed in the Assembly and became the Uttarakhand Char Dham Devasthanam Management Act, 2019. Under the same Act, the Trivendra government constituted the Uttarakhand Char Dham Devasthanam Board on January 15, 2020. As per the Act, the Chief Minister is the chairman whereas the minister for religious affairs is the vice-chairman of the board. Two MLAs of Gangotri and Yamunotri are members on the board along with the Chief Secretary. A senior IAS officer is the Chief Executive Officer. Under this board, there are 53 temples, including four shrines – Badrinath, Kedarnath, Gangotri and Yamunotri – and other temples located around these shrines. The shrine board was constituted as the highest governing body for the management of the temples with powers to frame policies, execute provisions of the Act, budget formulation and sanction expenditure, among others. The board was also empowered to give directions for the safe custody, prevention and management of funds, valuable securities, jewellery and properties vested in the temples. Before the constitution of the Board, the Shri Badrinath-Shri Kedarnath Act, 1939 was in place for the management of two shrines – Badrinath and Kedarnath – and Shri Badrinath- Shri Kedarnath Mandir Samiti for 45 temples. The Samiti was chaired by a government-appointed person whereas an official of all India service used to be the CEO. "All the decisions related to utilization of the donations, funds and development works in and around those 45 temples including Badrinath and Kedarnath were taken by that committee and the government did not intervene. But through the Devasthanam board, the government tried to take control over the financial and policy decisions,"

said a former chairman of the committee. "Most of these provisions of this Act (Shri Badrinath-Shri Kedarnath Act, 1939) are no longer relevant in the present context. In view of this, the Uttarakhand Char Dham Shrine Management Bill is proposed. This Bill will thus prove to be a milestone for the rejuvenation of Shri Badrinath, Shri Kedarnath, Gangotri, Yamunotri and other famous temples…," reads the statement of objects and reasons in the Uttarakhand Char Dham Shrine Management Bill. In Gangotri and Yamunotri, management of the shrines was earlier in the control of local trusts and the government was not getting any share from the donations made by devotees.

Who protested and why?

Priests, pandas and Rawals who were associated with affairs of shrines were opposed to the new bill and the board with the Opposition Congress and the Aam Aadmi Party (AAP) extending support to them. The Congress and AAP both called the BJP government 'dharma virodhi' and announced to repeal the Act if it comes to power in 2022. People like Pandas, Dimris and others holding different responsibilities in the Char Dham temples came under one banner and staged protests in Dehradun, alleging that with the shrine board, the government will get control of the entire area and donations. On November 1, Trivendra had faced protest when he visited Kedarnath, with priests showing him black flags, forcing him to return without offering prayers at the temple. Two days later, Chief Minister Pushkar Singh Dhami traveled to Kedarnath before Prime Minister Narendra Modi's visit to the shrine, and assured the priests that the issue will be resolved by November 30. The priests had then postponed their agitation.

How did the new setup hurt Trivendra Singh Rawat?

His decision to constitute the Devasthanam Board despite protests from priests and people associated with Char Dham was considered as one of the factors that led to Trivendra Singh Rawat losing the Chief Minister post, days before completion of four years of his rule. His successor Tirath Singh Rawat faced more pressure from priests and VHP who in a meeting in Haridwar during Kumbh in April this year demanded him to immediately announce abolition of the board. Under pressure, Rawat announced to "review" the board. But before he could take a decision, BJP replaced him with Dhami in July.

Why did the Dhami government roll back Trivendra's decision?

Trivendra Singh Rawat kept justifying the decision of enacting the law and new Devasthanam Board. But the Dhami government first constituted a committee to look into the matter and two-days after the receiving committee's report, Dhami announced to withdraw the Act. Dhami on Tuesday, saying he has taken the decision after receiving a report as well as feedback from different stakeholders including public representatives. The announcement came before the assembly elections. Sources said the government had received feedback from the RSS and VHP as well that protests of priests of four shrines can cause damage to the BJP in upcoming Assembly elections. The Hak Hakookdhari Mahapanchayat Samiti, formed by Char Dham teerth purohits protesting the Devasthanam Board, had recently announced that it will field candidates on 15 seats in the upcoming Assembly polls and campaign against the ruling BJP.

DIVISION OF ASSETS BETWEEN UP, UTTARAKHAND: OLD DISPUTE, NEW AGREEMENT

Months ahead of Assembly elections in their states, Uttar Pradesh Chief Minister Yogi Adityanath and his Uttarakhand counterpart Pushkar Singh Dhami recently reached an agreement on the

division of assets and liabilities, a subject the two states have discussed and debated ever since Uttarakhand was carved out of UP 21 years ago. Uttarakhand was formed on November 9, 2000 following the Uttarakhand movement in undivided UP. This was soon followed by disputes over assets and liabilities, mainly of the irrigation, transport, housing, forest, food & civil supplies and tourism departments. Uttarakhand leaders would cite the Uttar Pradesh Reorganisation Act 2000, under which any property should be owned by the state where it is situated, and would allege that UP had not handed over control of even 41 canals which flowed from and back into Uttarakhand. They cited the examples of Tehri Dam, Nanak Sagar Dam, Baigul Dam, Tumaria Dam (out of six dams located in Uttarakhand and controlled by UP) and Haridwar's Alaknanda Guest House (controlled by UP Tourism, and now being handed over to Uttarakhand). Successive governments in both states have made attempts to resolve these issues over meetings between their chief ministers, other ministers, and bureaucrats. On some occasions, disputes related to irrigation, transport and sharing of employees and liabilities have reached the courts. While the case on sharing of employees has since been resolved, the other matters are pending. In 2018, when Trivendra Singh Rawat was Uttarakhand CM, a formula was proposed that irrigation department assets will be divided in the ratio 75:25, with Uttarakhand getting the larger chunk.

The newest agreement

Under the agreement signed between Dhami and Adityanath on Thursday, the irrigation Department officials of the two states would meet within 15 days to conduct a joint survey of 5,700 hectares of land and 1,700 buildings in Uttarakhand that are under the control of the UP Irrigation Department. The study would identify the properties that will be useful for UP, and the rest would go to Uttarakhand. UP has granted permission to Uttarakhand conduct tourism and water sports activities in the Dhaura, Baigul and Nanak Sagar water bodies in Udham Singh Nagar district and the Upper Ganga canal at Roorkee. The UP irrigation Department will soon release an order on this. Following the division of the Uttar Pradesh Forest Department and Uttarakhand Forest Development Corporation, UP had paid around Rs 77.31 crore to Uttarakhand; another Rs 13 crore will be deposited in a joint escrow account. The meeting also decided that the UP Transport Department's dues will be decided as per the circle rate in 2003, along with interest; this comes to Rs 205.42 crore. As Uttarakhand owes Rs 105.43 crore to the UP Food and Civil Supplies Department, the amount will be adjusted. The states also resolved that the UP Irrigation Department's bus stand land in Kichcha in Udham Singh Nagar district would be handed over to Uttarakhand within 15 days. The two governments also decided to equally share the incomes and liabilities generated by the assets and properties of the Uttar Pradesh Awas Vikas Parishad located in Uttarakhand. The Alaknanda Guest House will be transferred to Uttarakhand, and inaugurated next month. The Chief Ministers agreed to withdraw cases pending in courts and resolve them through mutual consent. It was also decided that the UP Irrigation Department would reconstruct barrages at Banbasa on the India-Nepal border and Kichcha that were damaged in natural calamities.

Issues raised by Opposition

After the two state governments claimed to have resolved their disputes, former Uttarakhand CM Harish Rawat of the Congress alleged that Dhami had "surrendered" to his UP counterpart over the agreement on the division of assets and liabilities. He alleged that not only have the present rights of Uttarakhand been sold out to UP, but the future rights related to water, too, have been handed over. In 2018, when the BJP governments in both state governments had agreed on dividing the Irrigation Department assets in a 75:25 ratio with Uttarakhand getting the larger chunk, the Congress had opposed in then too, he said. Congress organisation general secretary

Mathura Dutt Joshi said the Uttar Pradesh Reorganisation Act clearly states that a property will be owned by the state where it is situated, and the Uttarakhand government need not have given in to Uttar Pradesh. He also questioned why the dues of the UP Transport Department were decided as per the circle rate in 2003 and not as per the current, higher rate. The Congress has said it will protest against the agreement in the Assembly, call on Governor Lt Gen (retd) Gurmit Singh, and explore legal ways to oppose the agreement.

BORDER INSECURITY

In October, the Union Ministry of Home Affairs extended the jurisdiction of the Border Security Force (BSF) to 50 km from the border in Assam, Punjab and West Bengal, instead of the earlier 15 km. It was explained as a necessary step to secure the three border states from the inflow of narcotics and weapons, facilitated by drones, and infiltration by terrorists. On Tuesday, the director general of BSF, Pankaj Kumar Singh, said one probable reason for the Centre's decision was that "the demographic balance has been upset in border states like West Bengal and Assam over a period of time". Singh also added that "there have been agitations in certain states and there have been many revolts" because of the "demographic change". Of course, illegal infiltration across the border is a security challenge for the BSF. But drawing a link between "demographic change," political protests, and the need for the BSF to get, literally, a wider berth, frames a security threat in a manner that undermines the local police and the state government. The ruling establishment and its foot-soldiers have frequently raised the spectre of demographic imbalance, mostly by misreading or misrepresenting population data, to polarise the society and for electoral mobilisation. The entire border has been fenced and is secured by the BSF. In the DG's own admission, the BSF wants powers to operate deep within Indian territory to stop infiltration. The central force's jurisdiction was extended in October only with respect to the powers of search, seizure and arrest that it currently has under the Criminal Procedure Code, Passport (Entry into India) Act, 1920 and the Passport Act, 1967. These are tasks that the state police are trained and equipped to carry out, which they do all over India. Instead, the central government has opted to deploy its own force, overriding objections by state governments, to engage the civilian population, a task it is not mandated or trained to do. The government weaponised the idea of demographic change by amending the Citizenship Act with provisions that discriminated against Muslims. Read with the National Register of Citizens, it was perceived by Muslims, particularly in Assam and West Bengal, as a tool of harassment. The protests against the NRC and CAA were mobilisations against framing Indian citizenship in communal terms. That the BSF D-G echoed the same disquieting refrain to justify the need to go deeper is regrettable.

WHAT'S IN ART, SURROGACY BILLS

Lok Sabha passed the Assisted Reproductive Technology Regulation Bill, 2020, which makes provisions for the safe and ethical practice of assisted reproductive technology (ART) services in the country. Another key bill to safeguard the reproductive rights of women — the Surrogacy (Regulation) Bill, 2019 — was passed by Lok Sabha on August 5, 2019. This one was referred to a Select Committee, which recommended that the ART Bill should be brought first, so that all the highly technical and medical aspects could subsequently be addressed in the Surrogacy (Regulation) Bill, 2019.

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What is the difference?

The Surrogacy (Regulation) Bill relates to surrogacy, an infertility treatment, where a third person, a woman, is the surrogate mother. In ART, treatments can be availed by the commissioning couple themselves and it is not always necessary that a third person is involved. Surrogacy is allowed for only Indian married couples. ART procedures are open to married couples, live-in partners, single women, and also foreigners. A 2015 notification prohibits commissioning of surrogacy in India by foreigners or OCI or PIO cardholders, but NRIs holding Indian citizenship can avail surrogacy. Foreigners can visit India under medical tourism to avail ART services. Under the Surrogacy Bill, there will be a National Surrogacy Board that will be involved in policymaking, and act as a supervisory body, and State Boards that will act as executive bodies. The ART Bill provides for a National Board, with the powers vested in a civil court under the Code of Civil Procedure. According to the Health Ministry, the estimated number of clinics practising surrogacy in India is likely less than 1,000, while that of those practising ART is likely more than 40,000.

Why was the ART Bill felt necessary?

The growth of ART clinics in India is among the highest in the world, and these are a key part of medical tourism. These offer gamete donation, intrauterine insemination, in-vitro- fertilisation, intracytoplasmic sperm injection, and pre-implantation genetic diagnostic. India does not have standard protocols of ART clinics yet. Amid questions raised on their ethical, medical, and legal aspects, Lok Sabha passed the Bill that provides for regulation and supervision of ART clinics and ART banks.

What is an ART bank?

Under the Bill, ART will include all techniques that attempt to obtain a pregnancy by handling the sperm or the oocyte outside the human body, and transferring the gamete or the embryo into the reproductive system of a woman. It defines an ART bank as an organisation set up to supply sperm or semen, oocytes, or oocyte donors to ART clinics or their patients. ART services will apply to women above the legal age of marriage and below 50, and to men above the legal age of marriage and below 55.

How will ART services be regulated?

NATIONAL BOARD: It will advise the Centre on policy matters. It will review and monitor rules and regulations, and recommend any changes. It will set the minimum standards of physical infrastructure, laboratory and diagnostic equipment and expert manpower to be employed by clinics and banks. State boards will coordinate the implementation of the guidelines.

NATIONAL REGISTRY: It will have a central database on all clinics and banks in the country, including nature and types of services provided, and the outcome of these services. The registry will provide the data to National Board for making policies and guidelines.

REGISTRATION AUTHORITY: It will have the chairperson, who will be an officer above the rank of Joint Secretary in the Health Department; a vice-chairperson, who will be above the rank of the Joint Director in the Health Department; an eminent woman representing a women's organisation; an officer of the Law Department, and, an eminent registered medical practitioner. The registration authority's functions will include: to grant, suspend, or cancel the registration of ART centres; to enforce the standards and supervise implementation of the law; to investigate

complaints of any breach of provisions, to take legal action against the misuse of ART and initiate independent investigations; and to recommend to the National and State Boards on modifying the regulation with changes in technology and social conditions.

What rules must clinics comply with?

They have to ensure that the commissioning couples, women, and donors of gametes are eligible for ART procedures, and that the donor is medically tested. They will have to provide professional counselling about all the implications and chances of success — and inform the couples about advantages, disadvantages, costs, side effects, and risks including that of multiple pregnancies. They will have to establish a grievance cell. ART clinics will have to make the commissioning couple or woman aware of the rights of a child born through ART, and ensure all data is kept confidential. The Bill says a child born through ART shall be deemed to be a biological child of the commissioning couple. The child will be entitled to all the rights and privileges available to a natural child from the commissioning couple, and the donor will have to relinquish all parental rights over the child.

What are the other safeguards?

The Bill says the clinic shall not perform any treatment or procedure without the written consent of all the parties seeking ART. It mandates an insurance coverage in favour of the oocyte donor by the commissioning couple or woman from an insurance company. The insurance will provide a guarantee of compensation for specified losses, damage, complications, or death of the donor during the process.

What are the regulations on the use and sourcing of gametes and embryos?

The woman cannot be treated with gametes or embryos derived from more than one man or woman during one treatment cycle. Second, a clinic cannot mix semen from two individuals for the procedures. Third, the embryos shall not be split and used for twinning to increase the number. Also, there will be regulations for the harvest of oocytes or embryos, and the number of oocytes or embryos that may be placed in the uterus of a woman during the treatment cycle. The Bill says the ART bank cannot supply the sperm or oocyte of a single donor to more than one commissioning couple. Also, the oocyte donor shall be an ever-married woman who has at least one live child of her own with a minimum age of three years. She can donate oocytes only once in her lifetime, and not more than seven oocytes are to be retrieved from her. The gamete or embryo of a donor shall be stored for a period of not more than 10 years.

Will there be testing for disease?

The Bill mandates that pre-implantation genetic testing shall be used to screen the embryo for known, pre-existing, heritable, or genetic diseases. The test will identify genetic defects in embryos created through IVF before pregnancy. The National Board will lay down conditions on pre-implantation testing.

BIRTHS AND RIGHTS

A Bill that the government of the land intends to make law, cannot be exclusivist at the very outset; and at least, with the time of passage, it is imperative that it loses its biases. It cannot exclude certain categories of citizens from the benefits and rights that the law seeks to confer upon the people of the country. And, that is what the Assisted Reproductive Technology (Regulation) Bill,

2020, that was passed in the Lok Sabha on Wednesday, has done, by excluding two categories — LGBTQIA+ and single men. Undoubtedly, the time has indeed come for such a Bill; for government intervention to regulate the field of fertility treatments, and by seeking to establish a national registry and registration authority for all clinics and medical professionals in the segment, it will fill a vacuum. The Bill has provisions to protect the rights of the donors, the commissioning couple and the children born out of ART, to grant and withdraw licences for clinics and banks depending on performance factors. It proposes to make it impossible for outlaws to operate within the system and profit from it, while exploiting patients. It also plans to put an end to illegal trafficking in embryos, and mistreatment of the poor coerced by their circumstances into donating eggs or sperm. It is unfathomable that a Bill, so progressive by its very nature, would glaringly exclude members of the LGBTQIA+ community and single men. As citizens, these groups too have the right to exercise reproductive rights. The omission is particularly baffling considering that the legislation has made provisions for single women too, apart from a commissioning heterosexual couple. The Union Health Minister said that several recommendations made by the Parliamentary Standing Committee had been considered. Unfortunately, despite expert recommendations to include both categories, the Committee recommended 'it would not be appropriate to allow live-in couples and same sex couples to avail the facility of ART' citing the best interest of the child born through ART. It also recorded that 'given [the] Indian family structure and social milieu and norms, it will not be very easy to accept a child whose parents are together but not legally married'. While the law would do well to be cognisant of the sentiments of the people, its purpose is also to nudge retrograde social norms out of their freeze-frames towards broader acceptance of differences and preferences. Legislators have also pointed out that the Surrogacy Bill intrinsically connected with the ART Bill was pending in the Rajya Sabha, and that it would only be appropriate that both Bills be considered together before they are passed. The ball is now squarely in the court of the Upper House; legislators can still set right the omissions and introduce the spirit of justice in the letter of the law.

ONE IN TWO DELIVERIES IN PRIVATE HOSPITALS THROUGH C-SECTION

One in two women who go to a private hospital undergoes a Caesarean section (C-section), according to the latest National Family Health Survey (NFHS) data. The increasing trend in private medical facilities, which have seen a rise in such operations from 40.9% to 47.4%, has led to a jump in pan-India numbers — from 17.2% in 2014-2015 to 21.5% in 2019-2020, according to NFHS-5. This means that one in five women who go to any medical facility, private or public, undergoes a C-section. When medically justified, a C-section can effectively prevent maternal and perinatal mortality and morbidity. According to the World Health Organization, the ideal rate is between 10% and 15%. When the rates rise towards 10% across a population, the number of maternal and newborn deaths decreases. When the rate goes above 10%, there is no evidence that mortality rates improve. There are many States and Union Territories where private hospitals conduct seven or eight out of 10 deliveries through C-section. These include West Bengal (82.7%), Jammu and Kashmir (82.1%), Tamil Nadu (81.5%), Andaman and Nicobar (79.2%) and Assam (70.6%). While many of these States have had a poor record in the past too, there are many others that have seen a big jump in such surgeries. These include Assam (17.3 percentage points increase to 70.6%), Odisha (17 percentage points 70.7%), Punjab (15.8 percentage points to 55.5%), Tamil Nadu (12.5 percentage points to 63.8%) and Karnataka (12.2 percentage points to 52.5%). As many as 26 States and Union Territories have shown a rise in private hospitals. The deliveries have also increased in public hospitals but this could partly be due to an increase in institutional deliveries in such facilities from 52.1% in 2014-2015 to 61.9% in 2019-2020. States with the biggest surge across public health facilities are Sikkim (12.3 percentage points to 30.4%), Punjab

(12.1 percentage points to 29.9%), Goa (11.6 percentage points to 31.5%), Chandigarh (10.9 percentage points to 30.4%) and Tamil Nadu (9.7 percentage points to 36%). The rates rose from 11.9% to 14.3% for public health facilities across the country. At the other end of the spectrum is Bihar, which has only 3.5% C-sections in public health facilities, indicating inability to provide critical care to prevent maternal and infant deaths. There are different factors at play for the rise in the operations, say experts. Women having babies at a later age, increase in in-vitro fertility and sedentary lifestyle of mothers are some of the reasons. "There are also caregiver and hospital factors. Doctors doing solo practice and delivering 20-25 babies in a month can't stay awake in the night so they prefer to schedule an operation. As far as corporate hospitals are concerned, there is an emphasis on more numbers and doctors spending 20-30 days on 10 deliveries is frowned upon," says Dr. Rinku Sengupta Dhar, consultant and head, Maternity Programs, Sitaram Bhartia Hospital. Different interventions are needed for public and private hospitals as well as for different parts of the country, says Subhasri Balakrishnan, member, Common Health — a coalition for maternal health and safe abortions. "C- section audits must be strictly enforced in public hospitals, whereas in private sector there is a need to check widespread commercialisation by regulating medical practices and costs. But there are also States with an unmet need for C-sections where they are needed to prevent maternal deaths and poor foetal outcomes. Such States need an overall improvement in the health system such as more number of anaesthetists, specialists and blood banks."

IS HUSBAND JUSTIFIED IN BEATING THE WIFE? SURVEY HAS TELLING RESPONSES

A falling fertility rate and a surge in their bank accounts point to the growing empowerment of women but when it comes to attitudes regarding domestic violence, the latest National Family Health Survey shows the distance that needs to be travelled. Responses to the question, "In your opinion, is a husband justified in hitting or beating his wife…," from as many as 18 states and Jammu and Kashmir are telling. Of the women surveyed, Telangana led with 83.8 per cent of them saying that men are justified to beat their wives; Himachal Pradesh registered the lowest at 14.8 per cent. Among men, Karnataka leads with 81.9 per cent of the respondents saying such behaviour is justified as against 14.2 per cent in Himachal Pradesh. The survey asked the question and then listed the "following (seven) situations" as reason to hit or beat the wife: If she goes out without telling him; if she neglects the house or the children; if she argues with him; if she refuses to have sex with him; if she doesn't cook food properly; if he suspects her of being unfaithful; if she shows disrespect for in-laws. According to the survey, the most common reasons cited to justify domestic abuse: showing disrespect to in-laws, neglecting the house and children. Data pertaining to surveys held in 2019-21 was released Wednesday. These were conducted in Assam, Andhra Pradesh, Bihar, Goa, Gujarat, Himachal Pradesh, Jammu and Kashmir, Karnataka, Kerala, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Telangana, Tripura and West Bengal. The other states which have a high percentage of women who justify domestic violence are Andhra Pradesh (83.6 per cent), Karnataka (76.9 per cent), Manipur (65.9 per cent) and Kerala (52.4 per cent). Men from Himachal Pradesh and Tripura had the lowest acceptance of domestic abuse with only 14.2 per cent, 21.3 per cent respondents agreeing. Data from the NFHS-4 (2015-2016) for the entire country released in January 2018 said that while 52 per cent of women surveyed believed it was reasonable for a husband to beat his wife, only 42 per cent of men agreed with it.In the latest survey, of the 18 states, women respondents in 13 — Manipur, Gujarat, Nagaland, Goa, Bihar, Assam, Maharashtra, Karnataka, Telangana, Nagaland, Himachal Pradesh, Kerala and West Bengal — chose 'disrespect to in-laws' as the main reason for justifying beating. This is followed by the second option: 'neglecting house and children' for accepting spouse violence. 'Being suspected of being unfaithful' has got the least number of justifications for beating.

Only women (21%) in Mizoram choose it as the main reason for physical abuse over the other two options.

RAJYA SABHA LEADERS EXPRESS ANNOYANCE AT CJI'S REMARKS

Floor leaders of the Rajya Sabha, at a meeting with House Chairman M. Venkaiah Naidu on the eve of the winter session of Parliament that begins on Monday, expressed concern over the Chief Justice of India's recent remarks on disruptions in Parliament. Chief Justice N.V. Ramana, speaking at the 75th Independence Day function organised by the Supreme Court Bar Association, complained about a lack of debate in Parliament. He said it is a "sorry state of affairs" and that absence of quality debate leaves many aspects of the laws unclear, increasing the burden on the court. The floor leaders said it is for the Presiding Officers to take appropriate action if the norms of functioning are being violated in the legislatures, and other constitutional agencies should not comment adversely, sources said. They did not, however, name Justice Ramana. In response, Mr. Naidu said, "I can understand your concerns. But such comments should be viewed in the context of the functioning of legislatures marked by persistent disruptions, unruly behaviour and violent actions which have deleterious effects. The best way to counter them is to ensure proper functioning of the legislatures by ensuring their dignity and decorum since such comments are finding resonance with the public from what they see about the functioning of the legislatures."

Productive session

A few Opposition leaders — Prasanna Acharya of the BJP, Satish Chandra Mishra of the BSP, John Brittas of the CPI(M) and Binoy Viswam of the CPI — expressed concern over the course of events during the last monsoon session. They also said a repeat of the monsoon session should be avoided. As per an analysis by the Rajya Sabha Secretariat, 70% of the functional time of the House was lost to persistent disruptions. Mr. Naidu urged the Government and the leaders of the Opposition to regularly talk to each other to enable effective functioning of the House. He appealed to all sections to cooperate in ensuring a productive winter session.

POINT OF DISORDER

The suspension of 12 Opposition Members of Parliament from the Rajya Sabha for the entire winter session of Parliament, evidently an extreme step by Chairman M. Venkaiah Naidu, has turned the spotlight on the use of disruption of proceedings as a parliamentary tactic. The Government and the Opposition should try and work a way out of this situation, but that may not resolve the underlying affliction of perennial conflict between the two sides. A guiding principle of parliamentary proceedings is that the majority, i.e. the Government, will have its way, and the minority, the Opposition, will have its say. This principle has been observed in its violation in India for several years now. As the principal Opposition in the years leading up to 2014, the Bharatiya Janata Party (BJP) so disrupted Parliament that a majority government was rendered dysfunctional for years; since 2014, in power, the BJP has tinkered with parliamentary processes in a way that the Opposition has been pinned down. Bills are passed in a hurry and even amidst din; the scrutiny of Bills by committees and debates are few and far between. Also, the decision to suspend Members for their conduct in the previous monsoon session at the beginning of a new session seems excessively punitive. This is no defence of disruption in general or the behaviour of the particular MPs, but the punishment is only worsening the conflict, and not facilitating debate. Parliament is the platform where the executive is held accountable to the representatives of the people. That is where people's representatives raise matters of public concern and seek the

Government's attention. The trend of weakening that process in the name of efficiency is not merely undermining the spirit of democracy; it is also landing the Government itself in a difficult spot as the mayhem that followed the hurried passage of three controversial farm laws last year shows. Parliamentary debates should not be viewed as a distraction or waste of time; they are a barometer of public mood and must be respected as such, by both the ruling side and the Opposition. Disruption as a brief, momentary reaction to a situation that demands debate is understandable, but as a sustained strategy, it is self-defeating. The absence of the Opposition will only leave the Government even more unchecked. It was the BJP's Arun Jaitley who theorised on the legitimacy of disruptions as a parliamentary instrument. It is time to shun that idea. The Government must make amends to restore the function of Parliament by deferring to parliamentary mechanisms, and also through informal channels of communication with the Opposition.

HOW AND WHEN MPS ARE SUSPENDED

The Winter Session of Parliament began on a stormy note on Monday. Both Houses saw disruptions as Lok Sabha passed the Bill repealing the three farm laws without any discussion, and Rajya Sabha passed it after a brief intervention by Leader of Opposition Mallikarjun Kharge. After that, Minister for Parliamentary Affairs Prahlad Joshi sought the approval of the House for suspending 12 Rajya Sabha MPs (six of the Congress, two each of the Trinamool Congress and Shiv Sena, and one each of CPI and CPI-M) for the remainder of the session. The reason for their suspension was "their unprecedented acts of misconduct, contemptuous, unruly and violent behaviour and intentional attacks on security personnel" on the last day of the Monsoon Session.

So, what had happened in Rajya Sabha during the Monsoon Session?

Parliament has seen continuous disruptions since the passage of the farm laws in the 2020 Monsoon Session too. When the Bills came up for discussion in Rajya Sabha, Opposition MPs demanded their scrutiny by a Select Committee. Amid slogan-shouting, MPs hurled papers at Deputy Chairman Harivansh. This led to the suspension of six Opposition MPs. Parliament passed the Bills without scrutiny by a committee. Then, in this year's Monsoon Session, Opposition parties were asking for a discussion on the alleged Pegasus hacking and farm laws issues. When Electronics & Information Technology Minister Ashwini Vaishnaw was making a statement on Pegasus in Rajya Sabha, Trinamool Congress MP Shantanu Sen snatched the papers from him. This was followed by a heated exchange between Union Minister Hardeep Singh Puri and Sen, who alleged that the minister threatened and verbally abused him. Rajya Sabha suspended Sen for the rest of the Monsoon Session. Disruptions marred both Houses throughout the session, which ended with a melee in Rajya Sabha. Opposition MPs accused security staff of manhandling them, and in turn, Leader of the House Piyush Goel accused Opposition MPs of attacking the security staff and demanding a special committee to investigate the incident. The session then ended two days ahead of schedule.

What powers do presiding officers have to deal with MPs disrupting proceedings?

MPs are required to adhere to certain rules of parliamentary etiquette. For example the Lok Sabha rulebook specifies that MPs are not to interrupt the speech of others, maintain silence and not obstruct proceedings by hissing or making running commentaries during debates. Newer forms of protest led to these rules being updated in 1989. Now, members should not shout slogans, display placards, tear up documents in protest, and play a cassette or a tape recorder in the House. Rajya Sabha has similar rules. To conduct the proceedings smoothly, the rulebook also gives

certain, similar powers to the presiding officers of both Houses. The presiding officer of each House can direct an MP to withdraw from the legislative chamber for grossly disorderly conduct. The MP then has to remain absent from the proceedings of the House for the remainder of the day. The presiding officers can also "name" an MP for "persistently and wilfully obstructing the business" of the House. In such a case, usually, the Parliamentary Affairs Minister moves a motion for suspending the offending MP from the service of the House. The suspension can last until the end of the session. In 2001, the Lok Sabha rule was amended to give the Speaker one additional power. A new rule, 374A, empowers the Speaker to automatically suspend an MP for a maximum of five days for disrupting the business of the House. In 2015, Speaker Sumitra Mahajan used this rule for suspending 25 Congress MPs.

How often have disruptions led to suspension of MPs?

The first instance occurred in 1963. A few Lok Sabha MPs first interrupted President Sarvapalli Radhakrishnan and then walked out while he was delivering the joint address to both Houses. Lok Sabha ended in reprimanding these MPs. In 1989, 63 MPs were suspended from Lok Sabha on the discussion of the Thakar Commission report. More recently in 2010, 7 MPs were suspended from Rajya Sabha for snatching the women's reservation bill from the minister. Since then, MPs have raised slogans, used pepper spray in the House and displayed placards.

How difficult has it been to solve the problem of disruptions?

Presiding officers have grappled with it. Over numerous conferences, they have deliberated on ways of addressing the issue. Former President K R Narayanan, who also chaired Rajya Sabha from 1992-97, explained the difficulty involved: "In most cases, disorders in the House arise out of a sense of frustration felt by members due to lack of opportunities to make his point, or clear his chest of grievances of the people that move him or out of the heat of the moment. They are perhaps easier to deal with. What is more difficult to tackle is planned parliamentary offences and deliberate disturbances for publicity or for political motives." In 2001, during a national conference in the Central Hall of Parliament organised on the issue of disruptions, different political leaders summed up their positions. Prime Minister Atal Bihari Vajpayee said the majority party is responsible for governing and should take other parties into confidence. He said the Opposition should play a constructive role in Parliament and be allowed to put forward its views and express itself in a dignified manner. Sonia Gandhi, the then leader of Opposition in Lok Sabha, emphasised that debate is central to democracy, and therefore there should be more debate and fewer disruptions. She identified "the reluctance and procrastination" of the treasury benches to face discussions as a cause for disorder in Parliament. She sought the support of the presiding officers to help the Opposition in raising issues uncomfortable to the government. Mamata Banerjee, leader of the Trinamool Congress, said that in a democracy, power is transient and that a party ruling at the Centre may not be in control in the states. She stressed the need for cordial and respectful relations between the Opposition and ruling parties.

DIMINISHING HOUSE

It just took four minutes for the Lok Sabha on Monday to pass a bill that sought to repeal the three controversial farm legislations which saw farmers mobilise at the Delhi borders for over a year. It is shocking — but hardly a surprise — that the government refused to heed the Opposition's demand for a discussion in the House on the subject that had been debated extensively on different platforms across the nation. This is reminiscent of the manner in which the controversial laws were rammed through in Parliament in September 2020 without due consideration, as

demanded by the Opposition, leading to deep distrust about the reforms itself in the society, particularly among a section of the farmer community. In fact, the obstinacy of the government was a major reason why it failed to convince the protestors despite 11 rounds of talks and the intervention of the Supreme Court about crucial reforms. The decision to repeal the Acts was announced by Prime Minister Narendra Modi on Guru Purab. But a televised address to the nation is no substitute for a detailed statement and discussion in Parliament since these Acts had been passed by the House. Union ministers had taken to social media and hailed the PM's climbdown as a great gesture in the national interest — what was against the national interest was never explained. So, what were the imperatives? Was the government's failure merely a case of miscommunication? What has been the outcome of similar "reform" measures in the states? Should the Centre henceforth let the states decide their own agriculture reform paths as per the demands of local political economy rather than push centralised solutions on a sector rich in diverse cultivation practices and markets? Then, there is the continuing demand among farmers for making the minimum support price a legal right, which raises several fraught issues. It also seems even those who had opposed the farm laws agree that Indian agriculture is in a crisis and needs radical solutions. So what is the way forward? All these and much more — the tragedy in Lakhimpur Kheri where a central minister's son was arrested on allegations that a SUV owned by him ran over a march killing five persons — needs vigorous debate in Parliament. By now the government should know that agriculture is a deeply contested territory and policy-making in the sector calls for conversations across fences. In fact, the farming community itself, including those in the forefront of protests, have, by their own admission, gone through a period of education and deep introspection about farm practices. Prime Minister Modi is wont to call the Constitution a holy book and Parliament a temple. But his government has been found wanting in living up to the letter and spirit of that holy book and has frequently used its electoral majority to impose its will on Parliament by stomping out dissenting voices and ignoring custom and procedure. Debates are the lifeline of Parliament; their absence will diminish the institution, put a question mark on the next set of laws and deepen already hardening fault lines.

HOW TO WIN OVER KASHMIRI YOUTH

Jammu and Kashmir (J&K) has been on the boil since Independence. Several solutions to the problem of militancy have been put forth. Recently, there was a suggestion that de-radicalisation camps should be organised for the youth. Chief of Defence Staff General Bipin Rawat said that it is a "positive sign" that the people in Kashmir are now saying they will "lynch terrorists". Before we talk about why a soft touch is required to win over the Kashmiri youth, let us look at the history of radicalisation in Kashmir.

Religion in state craft

The process of using religious overtones in state craft was initiated by General Muhammad Zia-ul-Haq, the dictator-President of Pakistan. He stressed that religion should be part of state policy. It is anybody's guess whether he tried to make Pakistan an Islamic state due to politics or piety or both, but the fact is that the proliferation of Madrasas started during his time and have contributed immensely to the Islamisation and radicalisation of Pakistani youth. This later on spilled over into Kashmir as part of low-intensity conflict operations (LICO). From 1989, insurgents, whose aim was the secession of J&K from India, began to use violent means to achieve their goal. This led to strong counter-insurgency operations. It was the beginning of the dividing line between Kashmiris and the rest of India. The Public Safety Act of 1978 and the Armed Forces (Special Powers) Act of 1958 were used to counter militancy. Those were harsh times and warranted harsh rebuttals.

Back then, militants were sent to Kashmir from Pakistan; the local youth were not involved in militancy. Hundreds of tanzeems (groups) were created in Pakistan to fight in Afghanistan. Some of these were then deployed in J&K. Pakistani agents moved around recruiting youth to train in Pakistan in the name of Islam and freedom for Kashmir. From the 1990s, militancy increased and then peaked in J&K. Due to threats from terrorist leaders, many Kashmiri families sent one of their sons to be trained in Pakistan and then to be deployed in Kashmir. Governor's rule remained in J&K for a long time keeping the democratic process at bay. When the due process of elections was brought back, the same Abdullah family from the Jammu and Kashmir People's Conference and the Mufti family from the Jammu and Kashmir Peoples Democratic Party became the leaders. But these leaders could not gain the full trust of the people. Kashmir began to see home-grown militancy during the 2008 protests due to the State elections and then following the 2010 killing of three infiltrators by the Indian Army. The All Parties Hurriyat Conference called for violent protests which resulted in riots, burning of government vehicles and 'stone-pelting incidents'. The situation on the ground changed for the worse with the birth of home-grown militancy. There were now twin challenges for the Army, the Central Armed Police Forces and the J&K Police. The first were the terrorists for whom the rules of engagement were different and the second were the Kashmiri youth who formed the bulk of the protestors — Indians for whom all the rules and laws applicable to any Indian citizen apply. When stone-pelting incidents took a serious and alarming turn, armed personnel responded with pellet guns and other means of riot control. Injuries, especially eye injuries, were a serious fallout of this response. According to the United Nations Report on Children 2021, a total of 39 children (33 boys, six girls) were killed (nine) and maimed (30) by pellet guns (11) and torture (two)...". The Mufti government announced in January 2018 that 6,221 people had suffered pellet-gun injuries during the unrest in Kashmir after the killing of the Hizbul Mujahideen terrorist, Burhan Wani, in 2016.

Unacceptable suggestions

The suggestion that terrorists must be lynched is not a good idea as a vigilante approach in a democratic country is not acceptable. De-radicalisation camps for the youth have been conducted many times in a different, toned-down manner. In August this year, for instance, the Indian Army announced that it would subsidise undergraduate courses and school education to selected children and youth from J&K and Ladakh in residential schools and professional colleges functioning under the Army Welfare Education Society, as part of Operation Sadbhavana. In August 2018, the J&K Police organised a Bharat Darshan tour to Delhi and Agra for students to "provide them [the] opportunity to understand history and development of other parts of country". The Border Security Force (BSF) has been organising such programmes since 1999-2000. Till date, 1,539 children from J&K have participated in 55 BSF-sponsored Bharat Darshan tours, according to the Union Home Ministry. The Army has also been assisting in the construction of schools, medical aid, veterinary care and disaster relief. However, these measures have not had the desired effect as most of the youth selected are not from the militancy-prone regions.

Protecting Kashmiris

Kashmiri children in schools and colleges outside the State are often mistreated when any misadventure takes place in J&K. The incidents of violence against minorities, including Muslims, in north India have only worsened their problems. One cannot love Kashmiri Muslims in J&K and hate them elsewhere. The Kashmiri youth feel that they face hostility from the Indian state because of their Muslim identity and so the status quo cannot be effective. The suggestion of de-radicalisation camps for the youth can appear similar to the detention camps run by China for Muslim minorities. This suggestion will be exploited for political gains by the pro-Pakistani

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elements and further vitiate the atmosphere. The administration has to provide protection to the Kashmiri youth when they are studying elsewhere in India. It is important for the Kashmiri youth, where ever they are, feel at home. This needs a real professional approach, a soft touch and long-term efforts. Otherwise, generation after generation will continue fighting their own country, India.

DOES DATA PROTECTION BILL HAVE SAFEGUARDS ON PRIVACY?

The Joint Parliamentary Committee on the Personal Data Protection Bill submitted its report on November 22. The Personal Data Protection Bill, 2019, stems from the 2017 judgment of the Supreme Court in the Puttaswamy vs.Union of India case that recognised privacy as a fundamental right protected by the Constitution. The committee, which had been deliberating on the Bill since it was introduced in Parliament in 2019, has made several recommendations for modifying the draft. However, it steered clear of the main sticky points such as government access to private data, leading to dissent notes from panel members from the Opposition.

What has the JPC left untouched?

The committee has retained Section 35 of the Bill. It gives the Government the right to authorise any of its agencies to circumvent the provisions of the law if it finds it necessary to do so under "public order", "sovereignty", "friendly relations with foreign states" and "security of the state". It is being interpreted as essentially a carte blanche for the Union Government to act as it wishes when it comes to accessing data on citizens. The draft Bill leaves it to the Government to frame the rules for oversight and safeguards for this provision. The critics of this provision, particularly the dissenting JPC members, are seeking judicial oversight and a more detailed prescription for the agencies that can access the data and the conditions under which they can do so. The final JPC report does not favour any change in this provision. The JPC also leaves untouched the state's ability to process personal data without consent, as allowed under Section 12. The JPC has also left mostly untouched the draft Bill's provisions for data localisation. The Bill requires a copy of any user data generated in India to be kept in the country, which critics say is unnecessary and may facilitate surveillance.

What does it say on social media?

The JPC has suggested that any social media that is not an intermediary be treated as a publisher. Under India's Information Technology Act, an intermediary is a website or service that only receives, stores, and transmits information online, without any sort of selection or curation of the content. Such intermediaries enjoy "safe harbour" protection from being held liable for the content that they are hosting or transmitting. A publisher, however, is legally liable for the content that it is hosting. In its report, the JPC says it is of the "strong view that these designated intermediaries may be working as publishers of the content in many situations", making choices on what content is being shown to whom. The JPC has also suggested a regulatory body for social media on the lines of the Press Council of India. This will have major implications for companies like Facebook. What it will mean for freedom of speech online also remains to be seen. The draft Bill already places social media in a separate class of intermediaries when it comes to data protection, adding provisions for voluntary verification of accounts. The modes for verification of accounts are to be prescribed by the Government, which leads to the question of who will be excluded and who will be allowed to be verified, and about the repercussions of not being verified. Critics of this provision also see it as being misplaced in a data protection legislation. They say that social media is best handled within the ambit of the Information Technology Act itself.

Has the ambit of the Bill been changed?

According to the JPC recommendation, the Bill should cover both personal and non-personal data. Non-personal data would include the traffic information that Google Maps collects and other such information. The JPC has even recommended changing the name of the Bill as the Data Protection Bill, 2021, dropping the word 'personal'. This takes the Bill beyond its original ambitions, as laid down by the B.N. Srikrishna Commission that worked on drafting it in the wake of the Puttaswamy verdict.

INDIAN-ORIGIN PARAG AGRAWAL TO REPLACE DORSEY AS TWITTER CEO

Indian-origin technology executive Parag Agrawal was appointed the new chief executive officer of Twitter after the social media giant's co-founder Jack Dorsey stepped down on Monday. In a message posted on Twitter, Mr. Dorsey said: "After almost 16 years of having a role at our company… from co-founder to CEO to Chair to Exec Chair to interim-CEO to CEO… I decided it's finally time for me to leave. Why? "There's a lot of talk about the importance of a company being "founder-led". "Ultimately, I believe that's severely limiting and a single point of failure. I've worked hard to ensure this company can break away from its founding and founders," he said. Mr. Agrawal, an IIT Bombay and Stanford alumnus, said in a note posted on Twitter that he was "honoured and humbled" on his appointment and expressed gratitude to Mr. Dorsey's "continued mentorship and your friendship". Mr. Dorsey said that there were three reasons he believed it was the right time. "The first is Parag becoming our CEO. The board ran a rigorous process considering all options and unanimously appointed Parag. He's been my choice for some time given how deeply he understands the company and its needs," he said. "Parag has been behind every critical decision that helped turn this company around. He's curious, probing, rational, creative, demanding, self-aware and humble," Mr. Dorsey said. "He leads with heart and soul, and is someone I learn from daily. My trust in him as our CEO is bone deep," Mr. Dorsey added. Mr. Agrawal joined Twitter 10 years ago when there were fewer than 1,000 employees. He said: "While it was a decade ago, those days feel like yesterday to me. I've walked in your shoes, I've seen the ups and downs, the challenges and obstacles, the wins and the mistakes. "But then and now, above all else, I see Twitter's incredible impact, our continued progress, and the exciting opportunities ahead of us," Mr. Agrawal said.

6 LAKH INDIANS RENOUNCED CITIZENSHIP

More than six lakh Indians renounced citizenship in the past five years, the Ministry of Home Affairs (MHA) informed the Lok Sabha on Tuesday. This year, till September 30, 1,11,287 Indians gave up their citizenship. The reason for a large number of Indians surrendering their citizenship was not stated in the reply. Though, in 2018, the MHA revised Form XXII under Citizenship Rules for declaration of renunciation of citizenship, which, for the first time, included a column on "circumstances/reasons due to which applicant intends to acquire foreign citizenship and renounce Indian citizenship". Recently, the MHA had simplified the process and provisions were made for the applicants to upload documents online and an upper limit of 60 days was fixed for the renunciation process to be completed. Minister of State for Home Nityanand Rai, in a written reply, said that in 2017, 2018, 2019 and 2020, the number of Indians who gave up citizenship stood at 1,33,049, 1,34,561, 1,44,017 and 85,248, respectively. According to a Global Wealth Migration Review report, in 2019, India came second only to China when it came to high net worth individuals (HNIs) leaving the country. As many as 7,000 HNIs left India in 2019. In October, Amit Mitra, former Finance Minister of West Bengal, quoting a Morgan Stanley report, tweeted that

"35,000 Indian Entrepreneurs of High Net Worth LEFT India between 2014-2020, as NRI/Immigrants. India RANKED No 1 IN EXODUS IN THE WORLD". Mr. Rai added that in the period 2016-20, 10,645 foreigners applied for Indian citizenship, of which more than 7,782 were from Pakistan and 452 were stateless. During the same period, 4,177 persons were granted Indian citizenship but the country-wise breakup was not provided. A total number of 1,33,83,718 Indian nationals were living in foreign countries, the reply stated. The Minister said the persons covered under the Citizenship Amendment Act (CAA) might apply after the rules were notified. "Till now, the Government has not taken any decision to prepare the National Register of Indian Citizens (NRIC) at the national level," the reply said.

BREATHING FRESH AIR INTO THE NCR'S POLLUTION CONTROL

Experts frame environmental concerns in technical terms — pollutants, their monitoring and penalties — whereas air pollution in cities is driven by urban form and transport infrastructure; solutions depend on the stage of development. The National Green Tribunal (NGT) had begun the process of taking a new look at an old problem by asking the Government to list its causes. For example, there is a report that the NGT directed the Ministry of Environment, Forest and Climate Change to modify the National Clean Air Programme (NCAP) which proposes 20%-30% reduction of air pollution by 2024. But the NCAP with its 'collaborative and participatory approach', monitoring, targets, emergency measures and even role for international organisations has still to make an impact. Just a day ago, on December 2, the Supreme Court of India asked pertinent questions: despite the compliance reports, why are the results on the ground negligible and what is the Commission for Air Quality Management in the National Capital Region doing? At a hearing where the Court gave the Centre and Delhi government 24 hours to come out with suggestions to control air pollution, the Solicitor General's response was that the Commission's power structure needed reworking, to which an exasperated Court asked for 'creativity'. This exchange raises the fundamental question about the role of the Commission, what it should be doing — and not just what it has done — as it has not been responding to interdependent causes driven by complex urban problems. Urban transformation is a social process (people, services, lifestyles) rather than a physical problem (congestion, technology, regulation). Therefore, the focus of the Commission has to be on how cities are organised, which in turn requires collaboration between multiple stakeholders. The challenge is to move away from solutions that merely require coordination between discrete administrative units, and enforcement taking the matter to the courts.

Lessons from Beijing

The UN Environment Programme's review of Beijing's control of air pollution provides useful lessons for policymakers. The population size of both cities, Beijing and Delhi, is comparable. Delhi also shares with Beijing, and other cities, the three stages in dealing with urban air pollution as a long-term task. It starts with end-of-pipe air pollution control gradually moving to integrated measures targeting primary pollutants (SO_2, NO_2, $PM10$, and CO), with the Government playing the main role. Later, secondary pollutants, or particulate matter leading to smog, primarily $PM2.5$, become the main focus for control with a regional coordination mechanism. The similarity ends there. The review by the UN points to a management system characterised by systematic planning, strong monitoring capacity, local standards, specific enforcement mechanism and public awareness. First, the key result area is a new model of network operation and quality control to provide early warning to effectively reduce the level of pollution under adverse weather conditions. In case of forecasted heavy pollution, warnings are issued at least 24 hours in advance through the media, in addition to daily air quality reports and forecasts. The technical system

combines high-resolution satellite remote sensing and laser radar, an integrated network combining 'air-land' data for quality monitoring with greater analytical capacity and over 1,000 PM2.5 sensors throughout the city to accurately identify high-emission areas and periods.

Approach to urbanisation

Second, in Beijing what really made a difference was not shutting down polluting units, restricting car ownership and travel, and improved fuel standards but the approach to urbanisation. 'Smart cities' such as New York, London and Beijing provide more space for public transport and mixed land use spatial planning minimising travel. The problems of Beijing and Delhi, as transit centres with no peak-hour traffic, require additional measures. Beijing's 7th Ring Road to ease congestion is 1,000 kilometres long, and even before buildings came up, the metro link was operational. Beijing already has more than 550 km of metro, more than one-and-half times that of the Delhi Metro; the plans are to have 1,000 km of metro rail. The bus transport system has 30,000 low floor buses, more than eight times the number with the Delhi Transport Corporation. In China, 72% of travel is completed by public transport compared with 37% in Japan, 17% in Europe and 10% in the U.S.

Vehicle policy

Third, when it comes to air pollution, particulate matter is the most difficult to control, leads to smog and serious health issues, and is largely caused by vehicle emissions. Traffic has been identified as a distinct and growing challenge. Systematic study on PM2.5 source apportionment in Beijing has found that local emissions constituted two-thirds of this, of which vehicle emissions were nearly half the main source. Regional transport contributes to pollution on heavily polluted days. On-road diesel vehicles formed the largest part of mobile sources, and the policy focus gradually changed from gasoline vehicle emissions to heavy-duty diesel vehicle emissions. Phasing out older vehicles made the most significant contribution. Beijing plans to have 48 lakh charging points by 2022 to push the use of electric vehicles. Delhi has nearly two times the number of registered vehicles than Beijing, increasing at a faster pace and source apportionment is still being debated. Fourth, innovative implementation steps were instituted in Beijing. Local regulation targeted controlling both the concentration and total emission amount leading to transforming and upgrading the industrial structure production processes and equipment. Economic incentives were tailored to the specific problem, with attractive levels of subsidies to high-polluting enterprises to close their production and differentiated fees charged according to the concentration of waste gas emissions for those who chose to remain in production. Enforcement at the municipal and State levels is coordinated, with each level having different responsibilities and a mechanism for cooperation. Municipal environmental enforcement teams do specific inspections and hotspot grid supervision based on a detailed emission inventory for each source, passing on serious cases to the State level. Lastly, independent evaluations review the air quality management system, conduct quantitative assessments of the pollution reduction effects in selected areas, analyse new challenges, and provide recommendations for enabling further improvement in air quality and building public support. The problem in the NCR is not the peculiar mix of administrative levels. It is their common approach to air pollution with cosmetic steps, unverified claims, statistical compliance and shifting responsibility which the powerful Commission has failed to override with a joint plan to modify trends.

SMALL GRANT BUT A BIG OPPORTUNITY FOR LOCAL

In early November 2021, a potentially game-changing and transformative development went by, almost unnoticed — the release of ₹8,453.92 crore to 19 States, as a health grant to rural and urban local bodies (ULBs), by the Department of Expenditure, the Ministry of Finance. This allocation has been made as part of the health grant of ₹70,051 crore which is to be released over five years, from FY2021-22 to FY2025-26, as recommended by the Fifteenth Finance Commission. The grant is earmarked to plug identified gaps in the primary health-care infrastructure in rural and urban settings. Of the total ₹13,192 crore to be allocated in FY 2021-22, rural local bodies (RLBs) and ULBs will receive ₹8,273 crore and ₹4,919 crore, respectively.

It is significant

The allocation in FY2021-22 is relatively small by some comparisons. It would be 2.3% of the total health expenditure (both public and private spending together) of ₹5,66,644 crore in India and 5.7% of the annual government health expenditure (Union and State combined) of nearly ₹2,31,104 crore (both figures for 2017-18), the most recent financial year for which national health accounts data are available (https://bit.ly/3I39G77). This grant is equal to 18.5% of the budget allocation of the Union Department of Health and Family Welfare for FY 2021-22 and around 55% of the second COVID-19 emergency response package announced in July 2021. Yet, it is arguably the single most significant health allocation in this financial year with the potential to have a far greater impact on health services in India in the years ahead.

Good intentions gone wrong

In 1992, as part of the 73rd and 74th Constitutional Amendments, the local bodies (LBs) in the rural (Panchayati raj institutions) and urban (corporations and councils) areas were transferred the responsibility to deliver primary care and public health services. The hope was this would result in greater attention to and the allocation of funds for health services in the geographical jurisdiction of the local bodies. Alongside, the rural settings continued to receive funding for primary health-care facilities under the ongoing national programmes. However, the decision proved a body blow, specially to urban health services. The government funding for urban primary health services was not channelled through the State Health Department and the ULBs (which fall under different departments/systems in various States) did not make a commensurate increase in allocation for health. The reasons included a resource crunch or a lack of clarity on responsibilities related to health services or completely different spending priorities. Most often, it was a varied combination of these factors. The well-intentioned legislative step inadvertently enfeebled the health services more in the urban areas than the rural settings. In 2005, the launch of the National Rural Health Mission (NRHM) to bolster the primary health-care system in India partly ameliorated the impact of RLBs not spending on health. However, urban residents were not equally fortunate. The National Urban Health Mission (NUHM) could be launched eight years later and with a meagre annual financial allocation which never crossed ₹1,000 crore (or around 3% of budgetary allocation for the NRHM or ₹25 per urban resident against ₹4,297 per person per year health spending in India). In 2017-18, 25 years after the Constitutional Amendments, the ULBs and RLBs in India were contributing 1.3% and 1% of the annual total health expenditure in India. In urban settings, most local bodies were spending from less than 1% to around 3% of their annual budget on health, almost always lower than what ULBs spend on the installation and repair of streetlights. The outcome has not been completely surprising. Both urban and rural India need more health services; however, the challenge in rural areas is the poor functioning of available

primary health-care facilities while in urban areas, it is the shortage of primary health-care infrastructure and services both.

Some obstacles

Urban India, with just half of the rural population, has just a sixth of primary health centres in comparison to rural areas. Contrary to what many may think, urban primary health-care services are weaker than what is available in rural India. Regular outbreaks of dengue and chikungunya and the struggle people have had to undergo to seek COVID-19 consultation and testing services in two waves of the novel coronavirus pandemic are some examples. The low priority given to and the insufficient funding for health is further compounded by the lack of coordination between a multitude of agencies which are responsible for different types of health services (by areas of their jurisdiction). A few years ago, there were a few reports of three municipal corporations in Delhi refusing to allocate land for the construction of mohalla clinics (an initiative of the State Health Department) and even the demolition of some of the under-construction clinics. It is in this backdrop that the Fifteenth Finance Commission health grant — the urban share is nearly five-fold that of the annual budget for the NUHM and rural allocation is one-and-a-half-fold that of the total health spending by RLBs in India — is an unprecedented opportunity to fulfil the mandate provided under the two Constitutional Amendments, in 1992. However, to make it work, a few coordinated moves are needed.

Essential steps

First, the grant should be used as an opportunity to sensitise key stakeholders in local bodies, including the elected representatives (councillors and Panchayati raj institution representatives) and the administrators, on the role and responsibilities in the delivery of primary care and public health services. Second, awareness of citizens about the responsibilities of local bodies in health-care services should be raised. Such an approach can work as an empowering tool to enable accountability in the system. Third, civil society organisations need to play a greater role in raising awareness about the role of LBs in health, and possibly in developing local dashboards (as an mechanism of accountability) to track the progress made in health initiatives. Fourth, the Fifteenth Finance Commission health grants should not be treated as a 'replacement' for health spending by the local bodies, which should alongside increase their own health spending regularly to make a meaningful impact. Fifth, mechanisms for better coordination among multiple agencies working in rural and urban areas should be institutionalised. Time-bound and coordinated action plans with measurable indicators and road maps need to be developed. Sixth, local bodies remain 'health greenfield' areas. The young administrators in charge of such RLBs and ULBs and the motivated councillors and Panchayati raj institution members need to grab this opportunity to develop innovative health models. Seventh, before the novel coronavirus pandemic started, a number of State governments and cities had planned to open various types of community clinics in rural and urban areas. But this was derailed. The funding should be used to revive all these proposals.

A much-awaited springboard

India's health system needs more government funding for health. However, when it comes to local bodies, this has to be a blend of incremental financial allocations supplemented by elected representatives showing health leadership, multiple agencies coordinating with each other, increased citizen engagement in health, the setting up of accountability mechanisms and guiding the process under a multidisciplinary group of technical and health experts. The Fifteenth Finance

Commission health grant has the potential to create a health ecosystem which can serve as a much-awaited springboard to mainstream health in the work of rural and urban local bodies. The Indian health-care system cannot afford to and should not miss this opportunity.

BOOSTING GREEN HYDROGEN

Prime Minister Narendra Modi recently announced that India would aim for net-zero carbon emissions by 2070. The announcement was given credence by the country's solar achievements since 2015. India is the only major economy whose policies and actions are on track to limit global average temperature rise below 2°C above pre-industrial levels, as envisioned in the Paris Agreement.

India has a head start

As of now, 75% of India's energy demand is met by coal and oil, including imports. This is expected to increase. Therefore, the synergy between renewable energy and green hydrogen must be tapped to tackle the dependence on fossil fuel and take greater advantage of India's solar capacity. Hydrogen — green hydrogen, in particular — is a crucial weapon in India's arsenal to fight climate change as it improves the long-term energy storage capabilities of renewable energy. The simplest element in the periodic table is also the most promising solution to decarbonise sectors like cement, steel, and refineries. "Hydrogen can provide the lowest-cost decarbonization solution for over a fifth of final energy demand by mid-century — contributing a cumulated reduction of 80Gt of CO_2 — and is thus an essential solution to reach the 1.5°C climate scenario," read a recent statement from the Hydrogen Council. Several major economies which are adopting legislation to reduce carbon emissions are also catalysing global efforts towards transitions to green hydrogen. A low-carbon source of energy is required to generate hydrogen through electrolysis – the splitting of a water molecule into hydrogen and oxygen. The hydrogen produced is coded with a colour, depending on the method of its production. While hydrogen generated through renewable energy sources is green, it is blue when the carbon generated from the process is captured and stored without dispersing it in the atmosphere. When the carbon is not captured, the generated hydrogen is labelled grey. Nearly 70% of the investments required to produce green hydrogen through electrolysis goes into generating renewable energy. With India's solar capacity increasing nearly 3,000 times in less than a decade, the cost of solar energy has reached a low of ₹2 per kWh. This gives India a unique head start in scaling up the use of green hydrogen. India can reduce its carbon emissions and make a dent in its annual import bills by developing a value chain for hydrogen from its production to its diverse applications, including production technologies, storage, transport and distribution, infrastructure (ports, refuelling stations), vehicular applications, and electricity/gas grid.

Solutions

Government funding and long-term policies that attract private investments within the standards and a progressive compliance framework are essential to boost green hydrogen. Hydrogen's cross-sectoral capabilities should be exploited according to each sector's cost and ease of adoption. A few key sectors with low transition costs, such as refineries, fertilizers and natural gas, should be mandated to use hydrogen to bring down costs as part of near-term goals. New demand from steel, cement and road mobility should be mandated as part of medium-term goals. Heavy-duty vehicles should receive State and Central incentives. Shipping, aviation, energy storage and solutions towards power intermittency should be mandated to use green hydrogen in the long run. Enforcing time-bound mid- and long-term policies would inspire the private sector

to invest more in green hydrogen and give the boost it requires in its nascent stages. India's current grey hydrogen production is six million tonnes per annum, which is around 8.5% of global annual production. India should replace this with green hydrogen and reduce dependence on imported ammonia. It should aim to produce 4-6 million tonnes of green hydrogen per annum by the end of the decade and export at least 2 million tonnes per annum. India has already taken the first step with the Indian Oil Corporation floating a global tender to set up two green hydrogen generations units at the Mathura and Panipat refineries. At present, more than 30 countries have hydrogen road maps and over 200 large-scale hydrogen projects across the value chain. If all the projects come to fruition, total investments will reach $300 billion in spending by 2030. Governments worldwide have committed to more than $70 billion in public funding, according to Hydrogen Council, to develop a hydrogen economy. With its abundant and cheap solar energy, India has the upper hand to tap into these investments and lead global efforts in transitioning to green hydrogen.

THE THREE FARM LAWS WERE NEVER A SOLUTION

The recent announcement by the Prime Minister that the Union Government would seek to repeal the three Farm Laws in the winter session of Parliament has prompted diverse reactions. On November 29, the first day in Parliament, the Farm Laws Repeal Bill was passed in the Lok Sabha without discussion. These laws are the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020; the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020, and the Essential Commodities (Amendment) Act (ECA), 2020. Regardless of how this specific step is viewed and the motivations attributed to it, the prolonged protests by farmers and extended impasse offer a rare teachable moment for policy making for Indian agriculture.

Purpose, 'creation', passage

To recall, the three laws each intended to remove constraints on buyers to stock, contract and purchase agricultural commodities. Whereas the Essential Commodities (Amendment) Act, 2020 (ECA) was largely the prerogative of the Centre, the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020 governing contract farming and the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020 (henceforth, the APMC Bypass Act), focusing on the public regulated markets were hitherto issues that were under the State-level Agricultural Produce Marketing Committee (APMC) Acts, therefore under the purview of the States. The most troubling aspect of these laws was the way they were written and passed. First, little is known to the public even today on who authored these laws or who was consulted before their introduction as ordinances. Second, these were passed in Parliament in haste by voice vote, in what is viewed by experts as a violation of established procedures. That Acts with serious ramifications for States should be passed without deeper discussions even within Parliament, let alone with specific inputs from stakeholders and experts, is bewildering. Attempts by some to deflect such criticism by noting the long history of discussion on agricultural market reform only serves to shine a light on the departure from such a tradition in the case of these three laws. Such opaque processes increase the likelihood of poorly framed laws; indeed, many critics have pointed out serious flaws in these laws.

Centre-State agri-relations

Crucially, the APMC Bypass Act mandated that States can only regulate, via their respective APMCs, designated physical premises called the 'market yards'. Via this Act, the Centre essentially

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wrested control of market areas outside these yards, now called 'trade areas', from the States. The dominant popular narrative was that the Centre was doing what the States had failed to do, i.e., free agricultural trade from the clutches of the APMCs, an idea that finds support in the Economic Survey 2014-15. Yet, perversely, the APMC Bypass Act particularly hurt States that had the most deregulated systems. A State that had no APMC Act, for example, suddenly found that all deregulated areas within the State would now come under the Centre's regulatory ambit and control, subjecting private players hitherto operating freely in a deregulated environment to the regulations of a whimsical Centre. Further, by absolving private players from adhering to any State law in agricultural marketing, it effectively nullified the power of States to shape the nature and functioning of agricultural markets. Such transfer of regulatory authority from the States to the Centre might in principle be justified if there was systematic evidence to suggest that the Centre was better informed and better equipped to regulate agricultural markets. Here, the Centre's own actions following the three laws do not inspire confidence. For example, barely weeks after the ECA was amended, the Centre imposed restrictions on stocking, in October 2020 for onions and July 2021 for a range of pulses, apparently undermining the purported spirit of the reformed ECA it championed.

During the pandemic

Our analysis of COVID-19 lockdown management in the agricultural sector too found that the Centre was always a step behind, implementing relief measures for agricultural marketing reactively rather than proactively. In contrast, States, regardless of the ruling parties, offered a more timely, relevant and nimble response to manage the fallout of the COVID-19 lockdown on agriculture. Beyond agricultural marketing, the central government's efforts in the past such as One Million Ponds, 10,000 FPOs and One District One Product are often disconnected from local needs for robust and sustainable solutions for agriculture. Another key concern is that to the extent that these Acts enable centralisation of authority to influence the functioning of trade areas, this would facilitate consolidation of big business, a trend that is evident globally. The underlying premise of these three Acts was that freedom to operate in agricultural markets would attract capital-rich private players to a sector in sore need of rejuvenating investments; and that the proliferation of efficient value chains and competition would enable benefits to be passed on to the farmers in the form of higher, and perhaps more stable prices. While it is hard to disagree with the purported goal of these Acts, many critics question the premise itself, pointing out that it was naive at best, and insidious at worst; the Acts in fact load the dice in favour of corporates with deep pockets who would now use this freedom, not to compete but to sidestep competition to gain control over supply chains at the expense of the farmer. Global evidence based on data from 61 countries between 2005-15, after all, suggests that farmers receive, on average, just 27% of consumer expenditure on foods consumed at home, the share falling significantly as national incomes rise.

Digital consolidation route

These fears of consolidation have been further stoked by recent memoranda of understanding that the Government of India has signed for building data stacks with Cisco, Jio, ITC, NeML, Ninjacart, Microsoft, Amazon, ESRI India Technologies, Star Agribazaar and Patanjali Organic Research Institute. While claiming to not involve private sector players, these select few have been granted limited access to "data from the federated Farmers' database" for specific areas. This, it seems, might be the thin edge of a wedge. A "trade" area under full control of the central government would potentially offer big business a digital data consolidation route to controlling supply chains. The solution to the many problems of Indian agriculture and of Indian farmers was

never going to be solved by the three farm laws, even within the realm of marketing. Nor is the repeal of these three Acts going to reverse or slow the rapid growth of private players in agricultural marketing in the past two decades, as seen by the 2019 Situation Assessment of Agricultural Households in India.

What needs to be done

The agricultural marketing space has seen significant reform in many States in the past decade, even if such reform has happened at a leisurely place and often piecemeal in its approach. While the Centre has the capacity to make landmark changes, true reform and action rests with local governments. States are better placed to assimilate and respond to the diversity of institutional and socio-economic contexts and agroclimatic regions. They are often better placed to incorporate local concerns for robust and sustainable solutions. The central national challenge is that different States have different regulations and a different pace of reform in part due to the political stakes involved in tackling trader collusion in these markets. States need to go back to the basics and to the suggestions that many expert committees have proposed for agricultural market reform — for a start, delinking the regulatory and operational roles of the APMCs. The Centre for its part should turn its attention in the short term to offering a stable and predictable policy environment vis-à-vis imports and exports, the functioning of national commodity exchanges and futures markets, and providing inclusive platforms for discussions on State-level market reform, public procurement and price support, designing safeguards against consolidation of corporate interests and framing data policies.

WHAT WILL A LEGAL GUARANTEE OF MSP INVOLVE?

After a year-long agitation on the borders of Delhi, protesting farm unions under the banner of the Samyukt Kisan Morcha have achieved their headline demand, namely the repeal of three contentious laws seeking to reform the storage and marketing of agricultural produce. However, farmers say this is only a half-victory and are pushing for their other major demand for providing a legal guarantee that all farmers will receive remunerative prices for all their crops.

How many crops does the minimum support price cover?

The Central Government sets a minimum support price (MSP) for 23 crops every year, based on a formula of one-and-a-half times production costs. This takes into account both paid-out costs (A2) such as seeds, fertilizers, pesticides, fuel, irrigation, hired workers and leased-in land, as well as the imputed value of unpaid family labour (FL). Farm unions are demanding that a comprehensive cost calculation (C2) must also include capital assets and the rentals and interest forgone on owned land as recommended by the National Commission for Farmers. There is currently no statutory backing for these prices, nor any law mandating their enforcement. The government only procures about a third of wheat and rice crops at MSP rates (of which half is bought in Punjab and Haryana alone), and 10%-20% of select pulses and oilseeds. According to the Shanta Kumar Committee's 2015 report, only 6% of the farm households sell wheat and rice to the government at MSP rates. However, such procurement has been growing in the last few years, which can also help boost the floor price for private transactions.

Why do farmers want a law on MSP?

In a letter to Prime Minister Narendra Modi, the SKM said MSP based on a C2+50% formula "should be made a legal entitlement for all agricultural produce, so that every farmer of the

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country can be guaranteed at least the MSP announced by the government for their entire crop". Within the SKM, there are different ideas of how this demand would play out. The All India Kisan Sabha, for instance, says most of the cost should be borne by private traders, noting that both middlemen and corporate giants are buying commodities at low rates from farmers and slapping on a huge mark-up before selling to end consumers. The Left-affiliated farm union has suggested a law which simply stipulates that no one — neither the Government nor private players — will be allowed to buy produce from the farmer at a rate lower than MSP. Other unions, however, have said that if private buyers fail to purchase their crops, the Government must be prepared to buy out the entire surplus at MSP rates, involving a much larger burden on the exchequer, although no one has yet laid out the specific fiscal implications. The demand is popular not just within the SKM, but even among unions which support the BJP-led Central government. The RSS-affiliated Bharatiya Kisan Sangh held its own agitation in September, complaining that the current MSP regime largely benefits only two States. It demanded a law to guarantee remunerative prices for all farmers to be calculated according to the varied input rates in 15 different agro-climatic zones. All farmers groups seeking a legal backing for MSP also want it extended to fruit and vegetable farmers who have been excluded from benefits so far.

What is the Government's position?

While announcing the decision to repeal the farm laws last week, the Prime Minister announced the formation of a committee to make MSP more transparent, as well as to change crop patterns — often determined by MSP and procurement — and to promote zero budget agriculture which would reduce the cost of production but may also hit yields. The panel will have representatives from farm groups as well as from the State and Central Governments, along with agricultural scientists and economists. Both the Prime Minister and the Agriculture Minister have previously assured Parliament that the MSP regime is here to stay, even while dismissing any need for statutory backing. A policy paper by NITI Aayog's agricultural economist Ramesh Chand, which is often quoted by Agriculture Ministry officials, argues, "Economic theory as well as experience indicates that the price level that is not supported by demand and supply cannot be sustained through legal means." It suggests that the States are free to guarantee MSP rates if they wish, but also offers two failed examples of such a policy. One is in the sugar sector, where private mills are mandated to buy cane from farmers at prices set by the Government. Faced with low sugar prices, high surplus stock and low liquidity, mills failed to make full payments to farmers, resulting in an accumulation of thousands of crores worth of dues pending for years. The other example is a 2018 amendment to the Maharashtra law penalising traders with hefty fines and jail terms if they bought crops at rates lower than MSP. "As open market prices were lower than the (legalised) MSP levels declared by the State, the buyers withdrew from the market and farmers had to suffer," says the paper, noting that the move was soon abandoned.

NEW MENU

Winter is usually when tomatoes, cabbage, carrot, cauliflower, capsicum, radish, peas, spinach and other greens become relatively affordable. It has to do with their plantings mostly happening during August-October. In tomatoes, these begin even earlier — from mid-June, with the monsoon rains, and up to late-September. Given that they are all 50 to 100 day crops — tomatoes take 110-120 days, but start yielding fruits from 70-80 days over 8-10 "flushes" at 4-5 day intervals — their arrivals peak over the winter, contributing to the familiar pattern of low prices at this time. Even the kharif onions planted in June-July are ready for harvesting during October-December. The same goes for the early-rabi potato that comes from the low hills of Himachal Pradesh, followed

by Punjab, in November-December. The current winter that has just set in is, however, turning out quite different. Tomatoes are retailing at upwards of Rs 60 per kg and onions at Rs 40, compared to their corresponding all-India levels of Rs 40 and Rs 30 three months ago. There's a simple reason for this: Erratic rains. Rainfall was overall deficient during the main kharif sowing season from mid-June through August, although less so in the major vegetable-growing hubs of Maharashtra and southern India. But Maharashtra recorded excess rains in September and October, hitting production of both kharif onions and tomatoes, cultivated especially in the Nashik belt. November turned out worse, more so in the South, with the standing kharif tomato crop — be it at Madanapalle and Ramasamudram in Andhra Pradesh's Rayalaseema region, Kolar, Chikkaballapur and Doddaballapur in Karnataka or Krishnagiri in Tamil Nadu — suffering extensive damage. The above unseasonal price spike raises concerns on two counts. The first is the impact on inflation and, more important, inflation expectations among the public. At a time when the latter already stands elevated — thanks to the sharp increases in petrol, diesel, LPG and edible oil prices over the last one year — costlier tomatoes and onions would only add to the pain points. Incidentally, consumer price inflation for vegetables was minus 19.43 per cent in October. That rate rebounding in the opposite direction, most unusually in winter, makes it all the more difficult for the Reserve Bank of India to continue with its accommodative monetary policy stance. The second concern is more long-term, relating to climate change. This is a second successive year when the peninsula has had heavy unseasonal rains in September-October, destroying the harvest-ready kharif crops. It calls for a new public stocking policy — away from rice and wheat to pulses, edible oils and vegetables that are more vulnerable to climate and global price risks. Vegetable storage can even be in dehydrated/processed form such as potato flakes, onion paste and tomato puree.

RURAL WAGES: KERALA TOPS LIST, 15 STATES LAG NATIONAL AVERAGE

Rural workers in Kerala earn way more than their counterparts in more developed states like Gujarat and Maharashtra and over double the national average. A rural worker (men in the non-agricultural segment) in Kerala earned an average of Rs 677.6 daily for 2020-21, taking the top position among the states, according to statistics released by the Reserve Bank of India. While the national average is Rs 315.3, in Maharashtra, considered as the most industrialised state and a leading producer of farm products, a rural worker earns just Rs 262.3, according to the data sourced from Indian Labour Journal of the Union Government's Labour Bureau. In Gujarat, considered a role model for development and industrialisation, a rural worker got Rs 239.3 during the year. While Uttar Pradesh's rural worker gets Rs 286.8, a rural worker in Bihar gets an average of Rs 289.3 daily. On the other hand, Kerala is followed by Jammu & Kashmir (J&K) where the rural worker got Rs 483 and Tamil Nadu Rs 449.5. Rural daily wage in 15 of 20 states are below the All-India average, indicating that consumption trend across the country could be in line with the movement daily wages. The wage data is available for 20 states. There is also wide variation in per capita output generated across states. For 2020-21, Goa was at the top, with highest per capita net state domestic product (NSDP) of Rs 3,74,055, followed by Sikkim at Rs 2,57,999, Delhi at Rs 2,54,001 and Haryana at Rs 1,63,992. Bihar had the lowest per capita NSDP at Rs 31,017, behind Uttar Pradesh at Rs 41,023, Jharkhand at Rs 53,489, Meghalaya at Rs 56471. Many states recorded a reduction in per capita NSDP in 2020-21 over 2019-20, possibly due to reduction in output because of the lockdown. In the rural agricultural segment also, daily wage data shows similar state-wise pattern. In Kerala, daily wage in the agri sector is Rs 706.5, followed by J&K at Rs 501.1 and Tamil Nadu Rs 432.2. While the all-India average is Rs 309.9, Gujarat's agri worker get just Rs 213.1 and Maharashtra Rs 267.7 per day for 2020-21. In Punjab, it was Rs 357 and Haryana Rs 384.8. All-India data for 2020-21 is the average of 11 months as data for April 2020 is not

available. State-wise data for 2020-21 is the average of 10 months as data for April and May 2020 are not available, as per the report. The rural daily wage goes up in the construction sector. In Kerala, daily wage in construction is Rs 829.7 while the all-India average is Rs 362.2. In Tamil Nadu, rural construction worker gets Rs 468.3. In Maharashtra, a rural worker gets Rs 347.9. Migrant workers are the main workforce in Kerala. The total number of other state domestic migrants in Kerala was about 31 lakh during 2017-18, according to a study released by the Kerala State Planning Board in March. The KSPB report says interstate migrants in Kerala, on average, earn about Rs 16,000 per month, of which they are able to generate about Rs 4,000 (on average) per month as surplus income or savings.

'LEPROSY-FREE' ODISHA NOW SEES A WORRYING RISE IN CASES

The district administration of Sambalpur in Odisha recently turned to women self help groups for an unlikely assignment — nursing care and assistance for leprosy patients. The desperate intervention was necessitated as the State lacks requisite paramedical workers to nurse infected persons. Odisha declared itself leprosy-free in 2006-07, with cases dropping below 10,000 and the prevalence rate below 1%. The State then dismantled infrastructure and did away with skilled manpower dealing with leprosy patients. However, re-emergence of the disease, with cases crossing the 10,000-mark annually in the past few years, has sent the health and civil administration into a tizzy. The National Leprosy Eradication Prgramme (NLEP) began to be implemented in Odisha since 1981. In 1997-98, the State recorded the highest ever detection of leprosy cases at 1,03,416. Due to the NLEP intervention, the prevalence rate per 10,000 came down from 123.2 in 1983-84 to below 1 in 2006-07. In the same year, only 5,088 persons were found to be suffering from the leprosy. However, the annual number of cases breached the 10,000 mark in 2013-14. Since then there has been regular detection of over 10,000 cases or more every year. In 2020-21, cases could not be properly detected due to COVID-19 restrictions — 6,156 cases were recorded. Under the NLEP, 2,137 persons were engaged of whom 1,251 were paramedical workers. Subsequently, however, the posts were abolished. Only 404 leprosy workers remained in their positions. Gradually, only 45 of them were left as Government reportedly avoided fresh recruitments. In 2018, the Government engaged multipurpose health workers as block-level nodal workers by giving them three days of training. Activists, however, pointed out that these workers were not skilled enough to handle leprosy cases. "Government has been detecting leprosy patients with help of Accredited Social Health Activist (ASHA). The ASHA workers have not received proper training to trace symptoms. In village areas, ASHA workers cannot even check minutely. If a survey is done properly, the cases will be much higher than the present figure," said Duryodhan Sahoo, President State Leprosy Welfare Federation.

A LAUNCH WINDOW FOR INDIA AS A SPACE START-UP HUB

The great space race of the 20th century was kicked off by the Soviet Union's launch of Sputnik in 1957. It was a competition between the world's great powers, a test of their ideologies, which proved to be a synecdoche of the entire Cold War between the capitalist United States and the socialist Soviet Union. The space race is on again, but this time, private players are on the power field to take the next leap for mankind and democratise space usage to build commercial value. This has huge implications for original equipment manufacturers (OEMs) in the space sector in India and is a promising venture for global investors.

India, a very marginal player

Last year, according to a report, the Government of India created a new organisation known as IN-SPACe (Indian National Space Promotion and Authorisation Centre) which is a "single window nodal agency" established to boost the commercialisation of Indian space activities. A supplement to the Indian Space Research Organisation (ISRO), the agency promotes the entry of the Non-Government Private Entities (NGPEs) in the Indian space sector. The agency will also felicitate a swift on-boarding of private players in the sector through encouraging policies in a friendly regulatory environment and by creating synergies through already existing necessary facilities, the report says. Today, the space economy is a $440 billion global sector, with India having less than 2% share in the sector. This is despite the fact that India is a leading space-faring country with end-to-end capabilities to make satellites, develop augmented launch vehicles and deploy inter-planetary missions. While total early-stage investments in space technologies in FY21 were $68 billion, India was on the fourth place with investments in about 110 firms, totalling not more than $2 billion.

The hurdles

Another aspect to throw light on is the extensive brain drain in India, which has increased by 85% since 2005. This can be linked to the bottlenecks in policies which create hindrances for private space ventures and founders to attract investors, making it virtually non-feasible to operate in India. Currently, a report on a leading news portal says: the reason for the lack of independent private participation in space includes the absence of a framework to provide transparency and clarity in laws. The laws need to be broken down into multiple sections, each to address specific parts of the value chain and in accordance with the Outer Space Treaty (or the United Nations resolution, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies). Dividing activities further into upstream and downstream space blocks will allow legislators to provide a solid foundation to products/services developed by the non-governmental and private sectors within the value chain, it adds.

Licences, liability

It says: "with the technicalities involved in the space business, timelines on licensing, issuance of authorisation and continuous supervision mechanism need to be defined into phases, like in France, where there are four obtainable licences in addition to case-by-case authorisation, with lack of clarity surrounding costs". Another crucial aspect of space law is insurance and indemnification clarity, particularly about who or which entity undertakes the liability in case of a mishap. In several western countries with an evolved private space industry, there is a cap on liability and the financial damages that need to be paid. In fact, space operators are required to hold insurance of up to AUD$100 million under Australian space law.

As a part of the system

Currently, many of the private entities are involved in equipment and frame manufacturing, with either outsourced specifications or leased licences. However, to create value, Indian space private companies need to generate their intellectual property for an independent product or service (e.g. satellite-based broadband) with ISRO neither being their sole or largest customer nor providing them IP and ensuring buy-backs (which was how most suppliers in the Indian space ecosystem were born over the last three decades). This will help open the door to global markets. Mature space agencies such as the National Aeronautics and Space Administration (NASA) of the United

States, China's China National Space Administration (CNSA), and Russia's Roscosmos (Roscosmos State Corporation for Space Activities) seek support from private players such as Boeing, SpaceX and Blue Origin for complex operations beyond manufacturing support, such as sending crew and supplies to the International Space Station. These companies have revolutionised the space sector by reducing costs and turnaround time with innovation and advanced technology. For such purposes, NASA and the CNSA award a part of their annual budget to private players. Until 2018, SpaceX was a part of 30 missions of NASA, getting over $12 billion under contract. India currently stands on the cusp of building a space ecosystem and with ISRO being the guiding body, India can now evolve as a space start-up hub for the world. The sector is in the embryonic stage where the possibilities are limitless with a scope to build a feasible business model. Already 350 plus start-ups such as AgniKul Cosmos, Skyroot Technologies, Dhruva Space and Pixxel have established firm grounds for home-grown technologies with a practical unit of economics. However, to continue the growth engine, investors need to look up to the sector as the next "new-age" boom and ISRO needs to turn into an enabler from being a supporter. To ensure that the sky is not the limit, investor confidence needs to be pumped up and for the same, clear laws need to be defined.

LONGEST MIGRATION ROUTE OF LESSER FLORICAN FROM RAJASTHAN TRACKED

In a major discovery, the longest in-country migration route of lesser floricans, the endangered birds of the bustard group, has been tracked for the first time from Rajasthan to Maharashtra's Ahmednagar district. The mystery of the fast-disappearing birds may soon be resolved with the help of satellite transmitters fitted on them. The telemetry exercise was undertaken in the Shokaliya landscape of Ajmer district to trace the journey of lesser floricans from their breeding grounds to their places of origin, presumably in down South. Following initial failures, the scientific experiment has succeeded in locating a bird which travelled a distance of 1,000 km after breeding during the monsoon. Lesser florican, taxonomically classified as Sypheotides indicus, is a small and slender bird species belonging to the bustard group, found in tall grasslands, for which Dehradun-based Wildlife Institute of India (WII) has launched a recovery programme. The endangered bird is observed in Rajasthan, Madhya Pradesh, Gujarat and some other regions during the monsoon season, when it breeds and later disappears with its chicks to unknown places. The bird is listed as "critically endangered" on the International Union for Conservation of Nature's Red List of Threatened Species and its population has been identified as "decreasing". The experiment for fitting the U.S.-made satellite transmitters with solar-powered batteries was taken up near Shokaliya village in Ajmer district's Bhinai tehsil. The first attempt, made in 2014, revealed that the male bird was loitering within a distance of 60 km, after which the battery failed and the signals stopped. Two subsequent experiments in which the transmitters were applied on the back of male birds depicted that the lesser floricans had flown to Agar, near Ujjain, and a grassland habitat between Banswara and Ratlam. The signals were emitted till the tiny gadgets continued to function, making it difficult to decipher the birds' migration route and their residing spot for rest of the year.

1,000 km journey

The latest instance of migration detection is that of a male lesser florican which took a zigzag flight from Shokaliya and has passed through Shevgaon tehsil, west of Ahmednagar in Maharashtra, covering a distance of 1,000 km from its breeding ground. The transmitter's signals were received for some time continuously from the same region until the battery finally failed. WII scientist Sutirtha Dutta told The Hindu that this was the longest distance covered by a tagged lesser florican

to the knowledge of conservation scientists and environmentalists. "Very little is known about their migration, as only a few birds have been tagged as yet," Dr. Dutta said.

CORRIDORS OF DEATH

The death of five elephants, four of them cows, caused by trains colliding with them, and all within a week, has again highlighted the gaps in efforts to reduce man-animal conflicts in the country. On November 26, the first accident occurred near Madukkarai in Coimbatore district, Tamil Nadu that has seen many an elephant death on a rail track stretch that extends up to Kanjikode, Kerala. The second accident was near Jagiroad in Assam's Morigaon district, four days later. Both accidents were at night. Elephant deaths in railway accidents are not new in India. A reply by the Project Elephant division of the Union Ministry of Environment, Forest and Climate Change in May to a set of RTI questions highlighted reasons other than natural causes as having led to the killing of 1,160 elephants over 11 years ending December 2020; 741 deaths were due to electrocution; railway accidents accounted for 186 cases; poaching 169 and poisoning 64. The pattern of train accidents involving elephants has been studied by different stakeholders, including the Railways, Forest and Wildlife Departments and activists, especially with regard to the Madukkarai stretch. That a greater number of casualties getting reported are in elephant passages has been confirmed by the C&AG in its latest compliance audit report on the Ministry of Railways. There are effective solutions in the case of two causes: electrocution and train hits. Installing hanging solar-powered fences, as has been planned in Tamil Nadu and Kerala, and planting citronella and lemon grass, as done in Golaghat district, Assam, to deter elephants are some of the large-scale options. The authorities should ensure that there are no illegal electric fences or barbed wire fences, which, instead, can be replaced with the solar powered ones. Needless to say, the participation of local communities is crucial. The critical role elephants play in biodiversity conservation must be highlighted, especially to those living in areas close to elephant corridors. The Environment Ministry and Ministry of Railways should also expedite proposals for elevated wildlife crossings or eco-bridges and underpasses for the safe passage of animals. A finding of the C&AG was that after the construction of underpasses and overpasses in the areas under the jurisdiction of East Central and Northeast Frontier Railways, there was no death reported. The authorities should also expedite other recommendations made by the C&AG such as a periodic review of identification of elephant passages, more sensitisation programmes for railway staff, standardisation of track signage, installation of an animal detection system (transmitter collars) and 'honey bee' sound-emitting devices near all identified elephant passages. Of the 29,964 elephants in India, nearly 14,580 are in the southern region, and the State governments concerned and the Centre need to find lasting solutions to the problem of man-animal conflicts.

SHUTTERBUG LEADS TO A PRETTY FIND IN SIKKIM

When Sonam Wangchuk Lepcha, from Dzongu in north Sikkim, started watching butterflies and taking pictures of them, he was not taken very seriously by the people around him. But now his hobby has led to the discovery of a new butterfly species, whose closest relatives are in south-eastern China, close to Hong Kong. Since 2016, Mr. Wangchuk Lepcha has been in the habit of photographing butterflies and sending their pictures to entomologists based at the National Centre for Biological Sciences (NCBS), Bengaluru, to identify and upload them on to the 'Butterflies of India' website they maintain. In 2020, he contributed the picture of a golden yellow butterfly with brown borders and spots. All the observations submitted to this website are reviewed by an expert paneland they realised that this was a species previously unknown in India andwas a new species. The new species of butterfly, now named the Chocolate-bordered Flitter, also carries the

scientific name Zographetus dzonguensis, after Dzongu in north Sikkim, the place where it was discovered. Its closest relatives are Zographetus pangi in Guangdong, and Zographetus hainanensis in Hainan, both in southeastern China, close to Hong Kong, says Dr. Krushnamegh Kunte of NCBS. The physical appearance of the species differ slightly and the internal structures of the males also differ slightly. The details were published in a paper in Zootaxa on December 1.

A ₹1 BOUNTY ON GIANT AFRICAN SNAILS

An offer to buy the highly invasive African giant snails is not something one comes across very often. But posters, complete with contact numbers, making exactly such an offer are turning heads in the coastal panchayats of Nayarambalam and Njarackal in Kerala. The rather novel initiative is the brainchild of Sunrise, a combine of morning walkers. Since putting up the posters a week ago, they have been flooded with calls from affected people, as the invasive African snails are crop pests apart from posing health hazards. "We buy the African snails at ₹1 each. In the one week since we started the initiative, we have bought over 3,500 snails, which were later killed en masse using a saline lotion. In one case, we bought about 600 snails from a single household," said Avarachan Parakkal, an active member of the group. The group of walkers has been hitting the road every morning without fail for the last four years. The menace posed by African snails came to their notice after they frequently came across them in large numbers on their usual stretch spanning two panchayats. "We started killing them using saline lotions and even sanitisers. But we realised that it was far from adequate, since a majority of snails inhabited private property, which we cannot trespass into without permission. That is when we decided to mobilise funds to buy them," said Ouseph Valooraan, another member of the group. Purchase and elimination of snails is only the latest of many initiatives by Sunrise, which has been taking up issues of public interest, whether it is waterlogging or bad roads. "We bring raise the matter with the authorities, and if they fail to act, we do whatever we can," said Jiju Jacob, another member of the 22-member group.

WERE THERE DOMESTIC HORSES IN ANCIENT INDIA?

A recent report in Nature by Ludovic Orlando and his group from the Paul Sabatier University in Toulose, France (P. Librado et al., Nature 598, 636-642; 2021) has been able to collect bones and teeth samples of over 2,000 such ancient specimens from regions from where domestic horses could have originated, namely in the Iberian Peninsula in the southwestern corner of Europe, or the western-most edge of Eurasia (Spain and its neighbours), Anatolia (which is modern Turkey), and the steppes of Western Eurasia and Central Asia. As Tosin Thompson writes in his commentary in Nature of October 28, 2021, Dr. Orlando's team analysed the complete genome sequences of about 270 samples from these regions, and also gathered information from archeology. In addition, they also dated radioactive Carbon 14, which decays at a fixed rate, to determine the age of these horse samples. These collective data have led them to decide that until about 4200 BCE, many distinct horse populations inhabited various regions of Eurasia.

Horse trail

A similar genetic analysis has also found that horses with the modern domestic DNA profile lived in the Western Eurasian Steppes, particularly the Volga-Don River region. By around 2200–2000 BCE, these horses spread out to Bohemia (the Czech Republic of today and Ukraine), and Central Asia (Kazhakstan, Kyrgystan, Tajikistan, Turkmenistan and Uzbekistan, Iran and Afghanistan) and Mongolia. These horses were bred by breeders from these countries to sell them to countries that

demanded them. Riding on horses became popular in these nations by around 3300 BCE, and armies were built using them, for example, in Mesopotamia, Iran, Kuwait and the 'Fertile Crescent' or Palestine. Thompson notes that the first spoke-wheeled chariots emerged around 2000-1800 BC.

Indian story

Now, when did horses come to India, and were they domestic or foreign? Was horse native to India? The answer seems to be 'no'. The "World Atlas" says that the only animals native to India are the Asian elephant, snow leopard, rhinoceros, Bengal tiger, Sloth bear, Himalayan wolf, Gaur bison, red panda, crocodile, and the birds peacock and flamingo. The website ThoughtCo cites, in the article '11 domestic animals that originated in Asia', lists the antelope, Nilgiri tahr, elephant, langur, Macaque monkey, rhinoceros, dolphin, Garial crocodile, leopard, bear, tiger, bustard (heaviest flying bird), squirrel, cobra, and peacock. Thus, it seems clear from these sources that horse is not native to India. Horses must have come into India through inter-regional trading between countries. Indians might have traded their elephants, tigers, monkeys, birds to their neighbours and imported horses for our use. So, when did India get its horses? Wikipedia points out that horse-related remains and artefacts have been found in Late Harappan sites (1900-1300 BCE), and that horses did not seem to have played an essential role in the Harappan civilisation. This is in contrast to the Vedic Period, which is a little later (1500-500 BCE). (The Sanskrit word for horse is Ashwa, which is mentioned in the Vedas and Hindu Scriptures). These are roughly towards the end of the late Bronze Age.

Debate in literature

It is also worth noting that two recent scholarly books, one by Tony Joseph, titled 'Early Indians: The Story of our Ancestors and Where we Came From', and the other by Yashaswini Chandra, titled, 'The Tale of the Horse'. Dr. Joseph's recent article in December 2018 in Firstpost examines the evidence to the 'Aryan' migrations to India. This would suggest that the horses found in India came from the 'Stans' mentioned above. And Dr. Yashaswini Chandra's posting in The Print of January 17, 2021 suggests that Indian native horses disappeared by 8000 BCE. Perhaps the clearest analysis of the debate comes from an article by the historian Michel Danino of IIT Gandhinagar. He writes in his paper titled, 'The horse and the Aryan debate', in the Journal of Indian History and Culture, 2006, September 13:33-59, and in the book "History of Ancient India" in 2014, that that the archaeologist Sandor Bokonyi studied samples of horse teeth from Baluchistan dating to pre-Harappan era from Allahabad (2265-1480 BCE), in Chambal Valley (2450-2000 BCE) and the upper molar sample from Kalibangan, and concluded that they came from real domesticated horses. These papers by Professor Danino sets to rest several conflicting claims about domestic horses in India, and we are thankful to him.

Harappan remnants

Given this background, it will be interesting to check whether in the Harappan sites, there are any remnant bones, teeth or skulls of horses, and perform DNA sequencing on them, just as Orlando's group did in their Nature article on Eurasian samples.

WHAT THE OMICRON VARIANT MEANS FOR INDIA

The continued decline in COVID-19 cases following the intense second wave in India has led to hope that a return to normalcy might be near. Across the country, emboldened by the fact that the

festival season did not lead to a steep rise in cases, restrictions have eased and public behaviour is largely returning to normal.

Situation now

The low number of cases currently in India, even as cases are rising across much of Europe, appears largely attributable to two factors. First, seroprevalence studies indicate that a large proportion of the population has already been exposed to the virus providing some level of protection to subsequent infections. Second, the immunisation campaign has gained momentum. Approximately 44% of Indian adults have been fully vaccinated and 82%have received at least one dose. What is more, scientists believe that prior infection followed by one or two doses of vaccination may have a larger protective effect than two doses of the vaccination alone. While vaccine-derived protection against symptomatic infection is expected to decay with time, current research suggests that breakthrough infections in fully vaccinated individuals are reduced in intensity and duration, compared to cases in individuals who have not been vaccinated. This holds for the Delta variant as well. Other variants have raised concerns but none of them has appeared to be significantly more worrying than the Delta variant, at least until now.

What WHO says

A new variant of the SARS-CoV-2 virus was recently identified in Botswana. Called the Omicron variant, early evidence suggests that it may be responsible for the steep rise of cases in the Gauteng province of South Africa. In this region, 90% of samples from the past few weeks have been of the Omicron variant. This variant has a large number of mutations. Some of them are cause for serious concern because they may allow the new variant to evade immunity obtained from a past infection or via a vaccine. The World Health Organization (WHO) has recently labelled this variant as a 'variant of concern'. While the emergence of the new variant is concerning and requires extreme vigilance, there are several questions that remain unanswered at the moment. Is the variant more transmissible? Can it evade the immune system? And is the variant associated with more severe disease outcomes? The possibility of a new, more transmissible variant of the SARS-CoV-2 virus has, of course, been the principal worry of epidemiologists. Some other recent variants, with a more limited repertoire of mutations, have raised concerns briefly, but have not risen to the level of being named a variant of concern so far. What is concerning here is that cases of the new variant have risen so sharply as to suggest that it may far outstrip the Delta variant in its ability to infect people. There are no reliable estimates of just how much more transmissible the Omicron variant is compared to previous strains of the virus. But even crude calculations suggest it could be much larger than for those strains. When new variants can evade immunity obtained through immunisation and prior infections, there is a greater chance for breakthrough cases and further transmission. WHO has recommended studies to understand the degree to which the immune system is evaded by the Omicron variant. This is a key question for India given the high proportion of individuals with some level of immunity, mostly from infection. If these mutations do lead to greater immune escape, vaccines and treatments like monoclonal antibodies might need to be reformulated. Luckily, RT-PCR tests should still detect the Omicron variant.

Addressing the variant

Right now, we know very little about whether the Omicron variant might lead to more severe forms of COVID-19, both in vaccinated and unvaccinated individuals. This is clearly a priority for research. Evidence related to increased severity associated with other variants, such as the Delta variant, remains largely inconclusive. Where did the Omicron variant come from? Viruses mutate

all the time and SARS-CoV-2 is no exception. What is unusual is the very large number of mutations that the Omicron variant has accumulated. This is likely a consequence of a chronic infection in an immunocompromised patient, such as one infected with HIV. A strong immune response can ultimately eliminate the virus. However, in a weakened immune system the virus will continue to multiply and mutate, changing its form to evade immune response. Given this, prioritising the elderly and immunocompromised for a future additional dose would make sense. While a number of nations have already closed their doors to travellers from South Africa, epidemiologists worldwide recognise that these measures can only offer temporary relief. Given that a case was found in Hong Kong in a traveller from South Africa a full four days into a mandatory quarantine, and that this patient may have infected another individual who turned positive some days later, it seems very likely that cases may have already crossed borders without being detected. Israel has also reported cases, with one of them, a 32-year-old woman, already triple vaccinated with the Pfizer vaccine before testing positive. The symptoms in this case were mild.

Promote vaccination

As long as the virus circulates, the possibility remains that new variants could emerge. The best option is to reduce case numbers. For this, vaccination is an especially powerful tool. Even a single dose of vaccine can reduce dramatically the risk of hospitalisation or a worse outcome; two doses do even better. However, the current inequity in vaccine distribution means that this means of control is out of reach of most in lower and middle-income countries. While many rich countries are now arranging for booster doses to safeguard their populations, even younger and less vulnerable individuals, this policy comes at the cost of the rest of the world, where vaccine coverage remains abysmally low. More than 60 countries have vaccinated less than 25% of their population, including South Africa. It is these regions that hold the most potential for a new, more transmissible variant. Equity in the distribution of vaccines is an urgent global public health need, quite apart from being ethically and morally the right thing to do. The Director of the Wellcome Trust, Sir Jeremy Farrar, has in a tweet, said, "South Africa needs to be praised, offered whatever support is needed and acknowledged for the quality of speed of public health and genomic science in South Africa, sharing the data immediately, supporting the region and the world...." We concur and urge that India and other countries should learn from the South African experience, making its data available in real time for the world to study, and exhibiting the highest levels of transparency. At present, we do not know enough about the variant to truly understand the potential risk that it might pose, but — as with all such things — preparing adequately for an uncertain future is key.

BUSINESS & ECONOMICS

AUSTRALIAN WINE MAY LAND AHEAD OF FTA

India and Australia are confident of sealing an early harvest trade deal by the year end or early next month, which could include some market access concessions for Australian wines, Canberra's special envoy to India and former Prime Minister Tony Abbott said on Friday. Mr. Abbott, who met Commerce and Industry Minister Piyush Goyal on Thursday, said a good trade deal with India would not only strengthen the Quad but also set the tone for more such pacts between Australia, India and other major trading nations. Accusing China of 'weaponising' trade in recent years, Mr. Abbott, who was the Prime Minister when Australia signed a comprehensive free trade deal with China, said the Asian nation's current trade tensions with many countries provide an opportunity for India to emerge as a reliable substitute in global supply chains. "And what we've seen from China, particularly us in Australia, is we've seen the weaponisation of trade, something like $20 billion worth of Australian trade has been arbitrarily disrupted, or suspended by China. It's very difficult under these circumstances to see China as a trusted partner," he said. "India is in a very different situation, with democracy, the rule of law and a good understanding that business and government are substantially independent of each other and the sanctity of contracts has to be respected. So, this is why I think that the difficulties with China certainly mean that India has quite a unique opportunity to step in, particularly with supply chains that need to be absolutely reliable," Mr. Abbott said.

'High ambition'

Terming the meeting with Mr. Goyal productive, he said that both sides were confident of a 'very good, larger-rather-than-smaller' early harvest trade deal by the end of this month or early next month, with a bigger Free Trade Agreement (FTA) to be concluded in 2022. There is very 'high ambition' from the Australian side as no other country can make a bigger contribution to the 'Make In India' initiative, the Australian envoy added. While India's agriculture concerns could be protected through carve-outs in the FTA, Mr. Abbott said he hoped to 'make progress' on import duties on Australian wines in the early accord. "I think anyone who currently enjoys Australian wine knows just how good it is. And I am hoping that more and more people will have an affordable opportunity to experience this great Australian product in the months and years ahead," he said. "I want to stress that Australia is not a predatory trader, we are a free and fair trader. And our objective... is to partner," he emphasised.

CROSS BORDER INSOLVENCY: UN MODEL ALLOWS AUTOMATIC RECOGNITION OF FOREIGN RULINGS

The Ministry of Corporate Affairs (MCA) has published a draft framework for cross border insolvency proceedings based on the UNCITRAL (United Nations Commission on International Trade Law) model under the Insolvency and Bankruptcy Code.

Cross border insolvency proceedings

Cross border insolvency proceedings are relevant for the resolution of distressed companies with assets and liabilities across multiple jurisdictions. A framework for cross border insolvency proceedings allows for the location of such a company's foreign assets, the identification of

creditors and their claims and establishing payment towards claims as well as a process for coordination between courts in different countries.

Current status of foreign stakeholders and courts in other jurisdictions under IBC

While foreign creditors can make claims against a domestic company, the IBC currently does not allow for automatic recognition of any insolvency proceedings in other countries. In the case of Jet Airways, when one of the company's aircraft was grounded in Amsterdam over non-payment of dues to a European cargo firm, the National Company Law Tribunal had declined to "take on record" any orders of a foreign court regarding domestic insolvency proceedings in the absence of enabling provision in the IBC. The National Company Law Appellate Tribunal, however, permitted the recognition of Dutch proceedings as "non-main insolvency proceedings" recognising India as the Centre Of Main Interests (COMI) for the company. However, current provisions under the IBC do not allow Indian courts to address the issue of foreign assets of a company being subjected to parallel insolvency proceedings in other jurisdictions.

The UNCITRAL model

The UNCITRAL model is the most widely accepted legal framework to deal with cross-border insolvency issues. It has been adopted by 49 countries, including the UK, the US, South Africa, South Korea and Singapore. The law allows automatic recognition of foreign proceedings and rulings given by courts in cases where the foreign jurisdiction is adjudged as the COMI for the distressed company. Recognition of foreign proceedings and reliefs is left to the discretion of domestic courts when foreign proceedings are non-main proceedings. The COMI for a company is determined based on where the company conducts its business on a regular basis and the location of its registered office. The framework for cross border insolvency adopted in India may like in the case of some other countries require reciprocity from any country which seeks to have its insolvency proceedings recognised by Indian courts. This would allow Indian proceedings for foreign corporate debtors to be recognised in foreign jurisdictions.

Indian framework's difference with the model law

Many countries that adopt the UNCITRAL model law do make certain changes to suit their domestic requirements. A report by the MCA has recommended that the Indian cross border insolvency framework exclude financial service providers from being subjected to cross border insolvency proceedings, noting that many countries " exempt businesses providing critical financial services, such as banks and insurance companies, from the provisions of cross- border insolvency frameworks." The report has also recommended that companies undergoing the Pre-packaged Insolvency Resolution Process be exempted from cross border insolvency proceedings as the provisions for PIRP have been introduced recently, and the "jurisprudence and practice under the pre-pack mechanism are at a nascent stage". The PIRP was introduced earlier this year under the IBC to permit speedy resolution of Micro, Small and Medium Enterprises.

HOW TO READ Q2 GDP DATA

On Tuesday, the government released the economic growth data for the second quarter — July, August and September — of the current financial year. Accordingly, India's Gross Domestic Product (GDP) — which measures economic activity from the demand side by looking at the expenditures made by different sections of the society — was 8.4% more than it was in the same quarter last year. India's Gross Value Added (GVA) — which measures economic activity from the

supply side by looking at the value added by different sectors of the economy — was 8.5% more than it was in the same quarter last year. However, given the fact that the Indian economy, much like most other economies, suffered a massive contraction in the last financial year (2020-21), it is better to avoid looking at growth rates and instead look at absolute levels of economic activity. Doing so allows for a better understanding of where the economy stands vis-a-vis the pre-Covid level.

What are the takeaways from the GDP data?

The GDP is essentially the sum total of

* All the money that Indians spend as private individuals spend [C],

* All the money that the government spends [G]

* All the money that businesses spend (or invest) [I]

* The net effect of exports (what foreigners spend on our goods) and imports (what Indians spend on foreign goods) [NX].

Table 1 shows the Q2 GDP data in absolute terms for the last five years. This year, private consumption (which accounts for 55% of all GDP and is the biggest engine of growth) grew by 8.6% over Q2 of last year. But this growth was inadequate because in Q2 last year, private consumption expenditure contracted by more than 11%. As such, as the table shows, private consumption in Q2 this year was significantly lower than it was in the same quarter two years ago. In simple terms, people spent less this year than they did in the same quarter two years ago. In contrast, the investments made by businesses — which is the second biggest engine of GDP growth, accounting for 33% of all GDP — in Q2 grew handsomely by 11%, easily overhauling the contraction of 8.6% last year. In fact, firms made more investments in this Q2 than in any Q2 over the last five years. This shows that firms were optimistic about India's economic recovery. The third key takeaway pertains to the government's expenditures. As the data show, barring last year which was an exceptional year, the government's expenditure is the lowest in five years. This shows that at a time when private demand is struggling to recover, the government has not been able to plug the gap.

What are the takeaways from the GVA data?

While GDP is the preferred variable for measuring growth, the fact is that GDP is "derived" by taking the GVA data and adding the taxes earned by the government on different products and then subtracting all the subsidies given by the government on products.

GDP = (GVA) + (Taxes earned by the government) — (Subsidies provided by the government)

In other words, and especially while analysing quarterly growth data, it makes a lot of sense to look at GVA because apart from telling us about the overall health of the economy, it also tells us which sectors are struggling and which are leading the recovery. Again, absolute data is the better way to assess growth this year. Table 2 provides absolute GVA for various sectors in Q2 going back five years. While the GVA in all sectors is better than it was in Q2 of last year, four key sectors that play a great part in creating fresh jobs are still below the levels achieved in 2019 or before. These are Mining & Quarrying; Construction and Services such as trade, hotels; and all the financial services. Lower GVA levels would imply lower incomes for those employed in these sectors as well as lower employment opportunities in them.

What are the policy implications?

It is indeed a matter of relief to Indians that the economy is recovering from the recession it went into in Q2 of 2020. However, two data points put the recovery in perspective. One, India's recovery is still fledgling. A V-shaped recovery would have required the Q2 GDP and GVA to be much higher. It may take another two years to cross those levels. Two, if we consider the first two quarters (or the first half) of the current financial year, then both GVA and GDP are around 3.5% and 4.5%, respectively, lower than the first half-year of 2019. The key policy concern from GDP data is the threat to future business investments if private consumption remains weak or constrained. If the latter does not recover fast, the former will likely lose momentum because inventories of unsold goods will build up. Typically, when such a mismatch happens, it is expected for governments to spend aggressively and boost overall demand. That doesn't seem to be happening at present and this will likely slow down the recovery. What the GVA data shows is that several contact-intensive services are struggling to recover levels set in the pre-Covid years. With the threat of another variant — Omicron— it is imperative to ensure sustained policy relief to such sectors.

REVENUE COMFORT

In line with the trends in the broader economy, the Centre's tax revenues have been growing at a brisk pace. At the aggregate level, the Centre's gross tax revenues in the first seven months (April to October) of the current financial year were up 56 per cent over the same period last year, as per data released by the Controller General of Accounts. While these numbers are skewed owing to the low base effect, tax collections were 30 per cent higher than over the same period in 2019. This suggests that the Centre's finances are in a better position than what was projected in the Union budget. The disaggregated data shows that both direct and indirect tax revenues have grown at a healthy clip. Direct tax revenues are up around 24 per cent from their pre-pandemic level, with robust growth observed in both corporate and income tax collections. Indirect taxes too have witnessed healthy growth, with brisk growth observed across customs, excise collections, and GST revenues. Data on GST collections for November suggests a continuation of this trend in the period thereafter, with collections touching Rs 1.31 lakh crore — the second highest since the shift to the indirect tax regime. In fact, collections were 25 per cent higher than last year, and 27 per cent higher than the pre-pandemic level. If the current trends hold, then, despite excise duty collections likely to be affected by the cuts in taxes on both petrol and diesel, actual gross tax collections this year will end up outstripping the budgeted target of Rs 22.17 lakh crore. This will also have a bearing on tax devolution to states. But even as the government's non-tax revenues have benefitted from a higher than expected transfer from the RBI, disinvestment proceeds continue to disappoint. As against a target of Rs 1.75 lakh crore, collections so far have touched only Rs 9,329 crore. Unless the disinvestment process of BPCL, the initial public offering of LIC, and/or the sale of two public sector banks fructifies, the Centre is looking at a huge gap which would make it challenging for it to meet its budgeted fiscal deficit target of 6.8 per cent of GDP. On the expenditure side, even though revenue expenditure has been growing at a subdued pace, capital expenditure by the Centre has maintained a healthy pace. However, the expenditure maths is likely to get complicated, with an increase in the food subsidy outgo due to the distribution of free food, the additional allocation for the fertiliser subsidy, and export incentives adding to the burden of the exchequer. But, notwithstanding this, a comfortable revenue assessment should allay concerns for the government, allowing it to spend its budgeted allocations in the months ahead.

WHY RBI HAS KEPT ENTRY OF BIG BUSINESSES IN BANKING ON HOLD FOR NOW

The Reserve Bank of India (RBI) has kept in limbo the proposal of its Internal Working Group (IWG) for granting banking licence to big corporate houses amid fears over connected lending and self-dealing if they are allowed in the banking space.

What's the big worry?

While the main argument in favour of allowing corporate presence in banking is that they can bring in capital, business experience and managerial competence, there are apprehensions that it was not easy for supervisors to prevent or detect self-dealing or connected lending as banks could hide connected party or related party lending behind complex company structures and subsidiaries or through lending to suppliers of promoters and their group companies. These loans can subsequently become bad assets of the bank. Moreover, highly indebted and politically connected business houses will have the greatest incentive and ability to push for licenses. On November 26, the RBI said it has accepted 21 out of 33 recommendations of the IWG on ownership of private banks, but kept silent on giving banking licence to big business groups.

What's connected lending?

Connected lending involves the controlling owner of a bank giving loans to himself or his related parties and group companies at favourable terms and conditions. Business groups need financing, and they can get it easily with no questions asked if they have an in-house bank. In short, companies can use the bank as a "private pool of readily available funds". Big business groups already account for a major chunk of non-performing assets (NPAs) in the banking system even without becoming promoters of a bank.

Former Governors' opposition to the move

When the IWG released its report in November 2020, former RBI Governor Raghuram Rajan and Deputy Governor Viral Acharya opposed the entry of business houses in banking, saying if industrial houses need financing, they can get it easily if they have an in-house bank. "The history of such connected lending is invariably disastrous – how can the bank make good loans when it is owned by the borrower? Even an independent committed regulator, with all the information in the world, finds it difficult to be in every nook and corner of the financial system to stop poor lending," they said in a joint article. In August 2011, the then RBI Governor D. Subbarao said in one of his speeches, "by far the biggest apprehension is about self-dealing — that companies will use the bank as a private pool of readily available funds."

The story so far

Corporate houses were active in the banking sector till five decades ago when the banks promoted by them were nationalised in the late sixties amid allegations of connected lending and misuse of depositors' money. The sector was opened up again post liberalisation with the first round of licensing of private banks that was done in 1993. Since then, there were two more rounds of licensing of banks in the private sector – in 2003-04 and 2013-14 – culminating with the on-tap licensing regime of universal banks since 2016. However, business houses were not considered though prominent corporates houses including Aditya Birla Group, Anil Ambani's Reliance Capital and Bajaj group showed interest in 2013-14.

Can industrial groups hold bank stake?

The central bank says individuals and companies, directly or indirectly connected with large industrial houses are permitted to participate in the equity of a new private sector bank up to 10 per cent and should not have controlling interest in the bank.

RBI FOR WIDENING SCOPE OF 'BANK NOTE' TO INCLUDE DIGITAL CURRENCY

The Reserve Bank of India (RBI) has proposed amendments to the Reserve Bank of India Act, 1934, which would enable it to launch a Central Bank Digital Currency (CBDC). The move comes amid the government's plans to introduce a Bill on cryptocurrencies in the current Parliament session that seeks to prohibit "all private cryptocurrencies in India" with "certain exceptions". "Government has received a proposal from Reserve Bank of India (RBI) in October, 2021 for amendment to the Reserve Bank of India Act, 1934 to enhance the scope of the definition of 'bank note' to include currency in digital form. RBI has been examining use cases and working out a phased implementation strategy for introduction of CBDC with little or no disruption," Minister of State for Finance Pankaj Chaudhary said in reply to a query in Lok Sabha. The CBDC is a digital form of fiat currency which can be transacted using wallets backed by blockchain and is regulated by the central bank. Though the concept of CBDCs was directly inspired by bitcoin, it is different from decentralised virtual currencies and crypto assets, which are not issued by the state and lack the 'legal tender' status. CBDCs enable the user to conduct both domestic and cross border transactions which do not require a third party or a bank. "Introduction of CBDC has the potential to provide significant benefits, such as reduced dependency on cash, higher seigniorage due to lower transaction costs, reduced settlement risk. Introduction of CBDC would also possibly lead to a more robust, efficient, trusted, regulated and legal tender-based payments option. There are also associated risks which need to be carefully evaluated against the potential benefits," Chaudhary said. Meanwhile, in response to a separate queries in Lok Sabha, Finance Minister Nirmala Sitharaman said the government does not collect data on Bitcoin transactions and on trading in cryptocurrencies. She added the government has no proposal to recognise Bitcoin as a currency. "A CBDC is the legal tender issued by a central bank in a digital form. It is the same as a fiat currency and is exchangeable one-to-one with the fiat currency. Only its form is different," as per the RBI. CBDC is a digital or virtual currency but it is not comparable to the private virtual currencies that came up globally over the last decade.

DIGITAL CURRENCIES AND HOW THEY WORK

What is a cryptocurrency?

A cryptocurrency is a medium of exchange, such as the rupee or the US dollar, but is digital in format and uses encryption techniques to both control the creation of monetary units and to verify the exchange of money. Bitcoin is considered to be the world's best known cryptocurrency and is the largest in the world according to market capitalisation, followed by Ethereum. In traditional financial deals, where two parties are using fiat money, a third-party organisation — usually a central bank — assures that the money is genuine and the transaction is recorded. With cryptocurrencies, a chain of private computers — a network — is constantly working towards authenticating the transactions by solving complex cryptographic puzzles. For solving the puzzles, these systems are rewarded with cryptocurrencies. This process is called mining. At the backend of these transactions is a technology called 'blockchain'.

What is blockchain?

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Satoshi Nakamoto — the person (or a group of people) who is said to have conceptualised an accounting system in the aftermath of the 2008 financial crisis — had mooted an idea where the transactions and the value of money would be recorded digitally on a publicly available and open ledger that contains all the transactions ever made, albeit in an anonymous and encrypted form. This ledger is called the blockchain. Bitcoin and the thousands of cryptocurrencies are essentially codes recorded on a blockchain that gets longer and longer as more people use them.

There have been voices calling for stablecoins as an alternative to volatile cryptocurrencies. What are stablecoins?

Stablecoins are digital currencies that are backed by a fiat currency such as the US dollar, thus giving it an intrinsic value. From an investor point of view, stablecoins become easier to understand considering the underlying reserve asset. There is also a case being made by sovereign governments for stablecoins such as Tether, USD Coin and Diem (proposed by Facebook's parent company Meta) given that it could increase the reach of their fiat currencies in the digital ecosystem.

How are cryptocurrencies bought?

There are two ways. The first is to buy it from someone and the second is to mine new crypto coins. Buying it from someone usually happens in two ways — an exchange-facilitated transaction or a peer-to-peer transaction. For Indians, the simplest way to invest or trade in cryptocurrencies has been through one of the many exchanges and trading platforms operating in India. These include WazirX, CoinDCX, CoinSwitch Kuber, Zebpay, Bitbns, Giottus, etc. To be able to trade or invest in cryptocurrencies using INR, users need to register on one of the exchanges by completing a KYC process. Then, a user buying crypto for the first time will need to load INR money in the wallet of their cryptocurrency exchange. The cryptocurrency wallet is identified by a unique address represented by a randomly generated combination of numbers and letters. There are two ways to load money into a cryptocurrency wallet — through net-banking or through an e-wallet. Here's where the first entry barrier arises. Despite the Supreme Court order that quashed the RBI directive prohibiting banks from allowing their systems to be used for virtual currency transactions, several large banks don't offer their financial infrastructure for investment or trade in crypto. Among the e-wallets that operate in the country, only MobiKwik is supported on platforms such as WazirX and CoinDCX. Once the transaction is through, the purchased cryptocurrency holding is reflected in the exchange's wallet.

How are they sold for INR?

The Indian exchanges allow sale of cryptocurrencies in exchange for INR as well but given that many of the smaller banks that support the transactions do not have the necessary digital infrastructure to handle the volumes of withdrawal and the volatility experienced by these virtual currencies, disruption in withdrawal services is a common occurrence.

The government plans to bring a Bill to prohibit "all private cryptocurrencies". What are private cryptocurrencies?

While there is no clarity yet on how private cryptocurrencies are defined, indications are that any digital currencies that are not issued by the State will be banned.

CONTROLLING THE CRYPTO GENIE

Elon Musk may be the real crypto piper, for cryptocurrencies dance to his tunes. Crypto prices shot up when Tesla announced that it has invested $1.5 billion in Bitcoin and when Mr. Musk said that Tesla would accept Bitcoin as payment for its electric cars. They slumped when he reversed that decision and tweeted that Bitcoin prices "seem high".

Nature of cryptocurrencies

What is the true nature of such highly volatile cryptocurrencies? New York University Professor Nouriel Roubini considers Bitcoin a "pseudo-asset" that is pumped by "massive manipulation". Whether the crypto hype is a 'bubble' is still a matter of speculation. While crypto-assets or cryptocurrencies are being embraced by many, they are under fire mostly by the officialdom in many parts of the world, primarily because the transaction process using cryptocurrencies is so secure that only a money transfer can be seen and nothing can be known about the sender and the recipient. These decentralised assets, with no central bank controlling them, may therefore be used for 'hawala', which is a trust-based system of transferring money quickly in a parallel arrangement avoiding the traditional banking system and escaping the due tax. Anonymity and privacy are the underlying characteristics as well as the potential danger of cryptocurrencies. There have been money laundering charges using cryptocurrencies. Shadows of cryptocurrencies loom in the supply of money for terrorist activities. Cryptos have become the preferred payment system for hackers in ransomware attacks. And so, the bid to put the genie back in the bottle was inevitable. But how is that possible and to what extent? At one extreme we have China which has almost banned cryptocurrencies and introduced its own centrally regulated digital currency called Digital Renminbi. At the other extreme we have El Salvador which is the first country to use Bitcoin as legal tender. While many parts of the world are planning to clip the wings of cryptocurrencies, El Salvador is planning to build the world's first 'Bitcoin City', funded initially by Bitcoin-backed bonds. The idea may be to harness the cryptocurrency to fuel investment in the country. The International Monetary Fund, however, recently said that Bitcoin should not be used as legal tender in El Salvador and urged the country to strengthen the regulation and supervision of its newly established payment ecosystem. The standpoints of the U.K., the U.S., and most countries of the European Union seem to be in between. Many countries try to regulate it to some extent and also tax Bitcoin gains in their own ways.

Under the scanner

In India, cryptocurrencies were under the scanner for some time. In 2018, the then Union Finance Minister said, "The government does not recognise cryptocurrency as legal tender or coin and will take all measures to eliminate the use of these cryptoassets in financing illegitimate activities or as part of the payments system." A high-level government committee recommended a ban on all cryptocurrencies, except those issued by the state. Then, in 2020, the Supreme Court revoked the curb on cryptocurrency trade imposed by the Reserve Bank of India (RBI). The Cryptocurrency and Regulation of Official Digital Currency Bill of 2021 is listed for introduction this Parliament session. It seeks to "prohibit all private cryptocurrencies in India" but allow for "certain exceptions to promote the underlying technology and its uses". It also aims to "create a facilitative framework" for the creation of the official digital currency to be issued by the RBI. Of course, the digital currency of a central bank may not look like a real substitute for a decentralised cryptocurrency to many users. A few weeks ago, there was speculation whether strong regulations would be imposed and income from crypto taxed in India. There was also speculation about a blanket ban, which led to a slump in the prices of major cryptocurrencies. It is not clear what kind

of regulation is going to be imposed finally. A regulated market will certainly keep illegal activities under control to some extent. Most of the common investors will comply with the rules and substantial money will be gained from taxes. But is it at all possible to completely stop hawala, drug or terror funding by crypto with such regulations? Recently, Prime Minister Narendra Modi said cryptocurrencies must not fall into the "wrong hands and spoil our youth" and urged all democratic nations to come together and ensure that things like these do not happen. Of course, unless all nations work together, the genie cannot be completely controlled. And, unfortunately, that's a remote possibility. For the time being, countries are imposing their own regulations. And Mr. Musk's tweets might continue to regulate the crypto dance.

INDIA REVOKES PEPSICO'S POTATO PATENT

Two years after PepsiCo India provoked outrage by suing nine Gujarati farmers for allegedly infringing patent rights by growing its registered potato variety, the company's registration of the variety has been revoked by the Protection of Plant Varieties and Farmers Rights' Authority (PPV&FRA). "This judgment is a historic victory for the farmers of India. It should also prevent any other seed or food corporation from transgressing legally granted farmers' seed freedoms in India," said Kavitha Kuruganti, convenor of the Alliance for Sustainable and Holistic Agriculture, who had filed the petition to revoke the food giant's registration. PepsiCo said it was reviewing Friday's order. The PPV&FRA questioned the documentation produced by PepsiCo claiming it was the owner of the variety, and thus could be considered the Registered Breeder under the law. The Authority accepted Ms. Kuruganti's contention that "several farmers have been put to hardship including the looming possibility of having to pay huge penalty on the purported infringement they were supposed to have been committing... This violates public interest," added the order from PPV&FRA chairperson K.V. Prabhu The FL-2027 variety of potatoes, used in Lays potato chips, came to the limelight in April 2019, when it became the centrepiece for a David vs Goliath fight in the potato belt of northern Gujarat.The potato was grown by about 12,000 farmers with whom the company had an exclusive contract to sell seeds and buy back their produce. In 2016, the company registered the variety under the PPV&FR Act, 2001. Alleging that farmers who were not part of its "collaborative farming programme" were also growing and selling this variety in Gujarat, PepsiCo had filed rights infringement cases against nine farmers.

IN-FLIGHT WIFI HITS A DEAD ZONE IN INDIA

Three years after the Department of Telecom permitted WiFi services on commercial flights, it is yet to become a reality for domestic air travellers as airlines grapple with the huge installation costs and the impact of COVID-19 on passenger demand. Domestic carriers have been slow in offering the service because retrofitting aircraft with the required antenna is an expensive affair that takes nearly 12 hours. Airlines find it difficult to pass on the costs to the passengers in an extremely competitive market for the cheapest ticket. However, international airlines such as Lufthansa, Air France and Emirates have started offering the service, though earlier they were switching it off on entering India skies. "The equipment costs ₹3 crore to ₹4 crore for one aircraft, which is the entry barrier because it is difficult to recover the cost from passengers. As customers start expecting this service and airlines increasingly treat it as an amenity instead of a value-added service, in-flight connectivity will evolve and mature," says Shivaji Chatterjee, senior vice-president, enterprise business, Hughes Communications India Private Ltd. Those airlines that have started to offer the service are rolling it out only on new aircraft that come equipped with the antenna. Full-service carrier Vistara is the only Indian airline to offer it since September 2020. But the airline with a fleet of 50 offers the service only on four Airbus A321 Neo and two Boeing

787-9 jets that are used for international flights as these are new aircraft that come fitted with the equipment. The service is available free of cost for all passengers till December 7 and users can send messages, e-mails and surf the Net. "Streaming through platforms like Netflix is not offered. Moreover, we switch off the Internet if we use these planes on domestic routes," according to the airline's spokesperson. The airline also doesn't allow any form of voice or video calls through WiFi Internet connectivity to ensure there is no discomfort to other passengers. Back in October 2018, while taking the delivery of its first Boeing 737 MAX 8 that also come fitted with an antenna and other paraphernalia, low-cost airline SpiceJet said it would be the first airline to offer passengers internet services. Five months later, the aircraft were grounded globally following two crashes in Ethiopia and Indonesia that killed over 300 people. The airline's chairman and managing director Ajay Singh told reporters at an event held to celebrate the resumption of Boeing 737 MAX 8 flights last week that it now plans to offer WiFi services on its aircraft from January 2022. "Passengers will be able to receive WhatsApp messages, check mails, but we will disable audio because we don't want to allow calls as they cause inconvenience to other passengers," Mr. Singh said. The airline has 13 Boeing MAX 8 planes in its fleet, and will be inducting another 50 over the next two years. The pandemic, too, has dented the appetite of airlines to innovate with new passenger amenities. "What has happened is that since the regulation came into place, the pandemic has hit the industry. Airlines are struggling to get consumer demand back to normal, which may take another one or two years," explains Mr. Chatterjee.

THE IMPORTANCE OF JEWAR AIRPORT, WHY IT IS NEEDED AND THE AREAS IT WILL SERVE

Prime Minister Narendra Modi laid the foundation stone of the Noida International Airport (NIA) at Jewar, Uttar Pradesh on Thursday. The project is part of the government's plan to expand existing airports and build new ones to both support growth of regional air traffic and to sustain air traffic growth in the congested metros. Imminent saturation of the existing Indira Gandhi International Airport in Delhi presents a case for a second airport in the National Capital Region to handle the future traffic projections.

The project

The airport, the first phase of which is scheduled to open in 2024, is being built through a public private partnership (PPP) with an investment of Rs 5,730 crore. The airport will be spread over an area of 5,000 hectares, and is being developed by Zurich International Airport AG. The company Noida International Airport Ltd was incorporated in 2018 as a joint venture of the Government of Uttar Pradesh (through its Department of Civil Aviation), NOIDA, Greater NOIDA, and Yamuna Expressway Industrial Development Authority (YEIDA) in the ratio of 37.5% to 37.5% to 12.5% to 12.5%. A concession agreement was signed in October last year with the concessionaire, Yamuna International Airport Private Limited (YIAPL), an SPV of the bid-winner Zurich International Airport AG. In 2019, the Swiss company offered a bid of Rs 400.97 per passenger and emerged as the winner, outbidding infrastructure players such as the Adani Group. In early December last year, Zurich Airport International selected a consortium consisting of Nordic, Grimshaw, Haptic, and STUP as the architects to design the passenger terminal of the airport. The design of the airport focuses on short and efficient passenger flows, and digital and tech-enabled customer services, according to the developers.

The requirement

A second airport in the NCR was planned well before the Covid-19 pandemic, aimed mainly at reducing the burden on IGI Airport, which is expected to reach its peak capacity of handling close

to 110 million passengers annually within the next decade. In the first phase, the Noida International Airport will have the capacity to handle 12 million passengers annually with one runway and 25 aircraft stands. The capacity of the airport is expected to increase to 70 million passengers per annum by 2050. Once the new airport begins operation, it will release valuable slots for airlines operating to the NCR region, bringing relief in the current congested scenario. In the initial phase, the airport will only operate domestic flights. YIAPL CEO Christoph Schnellmann said: "The strong recovery in the aviation sector along with the government's initiative to develop and expand airports will not only help meet the growing demand for travel but also encourage higher connectivity between tier 2 and 3 cities in the country. Noida International Airport will connect western Uttar Pradesh to other cities in India and the world. This world class airport will set a benchmark in aviation infrastructure and development of multiple-airport systems in India."

The location

Jewar Airport will come up about 72 km from IGI Airport, 40 km from Noida, and about 40 km from the multi-modal logistics hub at Dadri. The airport will have multi-modal connectivity owing to its proximity to the Greater Noida-Agra Yamuna Expressway, and the Eastern Peripheral Expressway, and will be linked with the Delhi-Mumbai Expressway at Ballabhgarh, the Khurja-Jewar NH 91, and the dedicated freight corridor. The Metro is proposed to be extended from Noida to the NIA and the proposed High Speed Rail (Delhi-Varanasi) at the airport terminal. A 60-metre-wide road parallel to the Expressway is proposed to be widened to 100 metres. Experts say the success of any new airport depends on the connectivity it provides to nearby catchment areas. The Jewar airport is expected to serve residents of Noida and Greater Noida, and provide an alternative airport for residents of New Delhi and Gurgaon. Jewar airport will also serve western UP cities like Aligarh, Bulandshahr, Meerut, and Agra.

THE MANY CHALLENGES BEFORE TRADE UNIONS

The repeal of the three farm laws has set in motion expectations, if not talks, about the possible revival of other agitations, such as the one against the Citizenship (Amendment) Act, and the repeal of the contentious Labour Codes passed in 2019-20. Trade unions have intensified their agitation against the Codes in the wake of the government's decision to repeal the farm laws. There were significant factors responsible for the farmers' victory apart from the well-known political reasons for which the farm laws were repealed. In industrial or social conflicts, staying power, unflinching solidarity, political legitimacy, social visibility, and the capacity to inflict hurt to the opponents all matter in effecting favourable outcomes for the agitators. All these conditions characterised the farmers' agitation. The protests enjoyed political legitimacy as the government had passed the three laws without consulting the farmers' groups and had also not referred the laws to the Parliamentary Standing Committee (PSC). We need to assess the possible revival of the protests of the industrial workers for repeal of the Labour Codes while considering these aspects.

Problems with the Codes

The Central Trade Unions (CTUs) have criticised the Codes on three principal grounds. The Labour Codes were passed with little debate and discussion as the Opposition parties had staged a boycott in the Lok Sabha then. Trade unions, including the Bharatiya Mazdoor Sangh (BMS), criticised the Central government for not holding adequate consultations with them on the Codes contrary to the government's claims. The absence of effective dialogue contradicts the International Labour Organization treaty, the Tripartite Consultation (International Labour Standards) Convention of

1976 (C.144), which India had ratified in February 1978. The Labour Codes contain many clauses that deprive labourers of hard-won labour rights. The Codes merit repeal for other major reasons as well. The drafting is shoddy and incomplete. The Codes are an insult to the collective legal and industrial relations intelligence in the country. The government introduced changes in major contentious clauses (hire and fire, contract labour) which were not based on robust empirical evidence; diluted good clauses (standing orders and inspections); made matters unduly complex (industrial tribunal, minimum wages) and made promises that were not backed by credible systems (social security fund, universal minimum wages and social security). Liberalisation of thresholds relating to major legal aspects (contract labour, hire and fire, standing orders) and the act of retaining existing thresholds even after several decades (provident fund, medical insurance) would intensify informalisation of the workforce. The government has left many substantive and procedural clauses to the rule-making processes which result in considerable divergences as States frame different rules on the same subject. These will introduce chaos in the governance of industrial relations. As opposed to the success of farmers' protests, the failure of the trade unions' agitations in achieving their demands present a conundrum. In fact, there exists an organised consultative framework due to the aforementioned ILO Convention. Trade unions have a long history and most of them have political affiliations. Though declining, trade unions still command a claimed membership of 90-100 million, which includes unorganised workers. The CTUs claimed that 150 to 250 million workers participated in the recent countrywide strikes. If that is the case, they should have shaken the government and had the Codes repealed, which did not happen. So, what ails the industrial working class's cause?

Why strikes are unsuccessful

The CTUs are divided thanks to their political affiliations. Out of the 12 major CTUs, 10 have been jointly spearheading agitations calling for the repeal of all four Codes while the BMS has been conducting its own limited agitation: it is fine with the Wage and Social Security Codes but demands "review" of the Industrial Relations and the Occupational Safety, Health and Working Conditions Codes. Again, thousands of enterprise-based unions lacking political consciousness do not always support the CTUs' agitations. The claimed strikes resulted in symbolic acts of nominal consultations with the CTUs by the United Progressive Alliance or National Democratic Alliance governments. The reform mandate was always alive. Second, though the CTUs for long succeeded in blocking labour law reforms at the national level, substantial reforms of laws and inspections have happened at the regional level. Further, with the sly support of the government, employers have been able to achieve labour flexibility (the rampant contractualisation of the workforce) denied to them by formal laws. Hence, the Labour Codes matter less even if they are repealed. Third, though there are around 400 million unorganised and informal workers, they are scattered and not organised in a consolidated manner to mount significant political opposition and demand labour market securities. More informality thanks to labour reforms will further hurt unions' agitational power. Fourth, unlike farmers, the industrial workers cannot organise longer and larger strikes as they would lose their jobs and wages. The presence of the huge army of underemployed or unemployed and informal workers weakens their bargaining power. At best, they can organise short protests. In short, their strikes do not hurt either the economy or the government. The failures of the Railway strike of 1974 and the Bombay textile workers' strike of 1982-83 haunt the labour movement. Fifth, a larger labour reforms agenda comprising privatisation, flexible labour markets, etc. are supported and even pushed by global financial institutions like the World Bank and the International Monetary Fund. Many countries are witnessing labour reforms. Unions are fighting in essence against the neoliberal order for which they require intellectual sinews. Sixth, the four Codes were scrutinised by the PSC. It is another

matter that the Codes did not reflect several of the PSC's recommendations or included clauses not mentioned in the draft Bills sent to the PSC. These procedural deficiencies may not be perceived as stark as those related to the farm laws. Finally, the 'hurt' government and the powerful reform-lobbying interest groups would ensure that there would not be more rollbacks, including of the Codes. In the wake of these realities, unions must come up either with agitational strategies to hurt the electoral image and prospects of the government and economy and/or exploit the possibility of legally challenging the Codes as has been done in case of gig workers. The delay in implementing the Codes thanks to adverse economic conditions or possibly due to political factors can be a short-term consolation, if any.

LIFE & SCIENCE

BUTTERFLY SPECIES RECORD INCREASE

A butterfly survey at the Peechi-Vazhani wildlife division has recorded a remarkable increase in the species' numbers. Southern Birdwing, the largest butterfly in India, and Grass Jewel, the smallest, were found during the survey. Buddha Peacock, the State butterfly of Kerala, was also recorded. Of the 326 found in Kerala, 156 species were recorded in the 242-sq. km. division. The four-day butterfly survey was conducted by the Kerala Forest Department and the Travancore Nature History Society (TNHS) Thiruvananthapuram. The Peechi-Vazhany, Chimmony, and Chulannur Wildlife Sanctuaries were surveyed using 14 base camps. Around 35 delegates from NGOs such as TNHS, Wynter-Blyth Association(WBA), Green Roots, Green Cap, and students from Kerala Veterinary and Animal Sciences University (KVASU), and 50 forest officials of the Peechi wildlife division took part in the scientific exercise. "The survey marks the beginning of a series of biodiversity assessments to prepare a new management plan for the region. It has a specific section targeting invasive species that are a threat to the indigenous biodiversity," said P.M. Prabhu, Wildlife Warden, Peechi. Peechi-Vazhany Wildlife sanctuary had 132 species of butterflies, Chimmony had 116 species, while Chulannur recorded 41 species. The survey noted 80 species, almost double, to the older record of Peechi-Vazhany, 33 to Chimmony, and 41 species to Chulannur. Other notable species are Nilgiri Grass Yellow, Travancore Evening Brown, Malabar Flash, Orange Tailed Awl, Southern Spotted Ace and Common Onyx. The report of Common Tinsel at Chulannur was another highlight. Altitudinal migration of Common Albatross was recorded in Chimmony. The division had 23 species of butterflies red-listed by the IUCN. Sixty-three species were protected under the Indian Wildlife Protection Act 1972. The survey teams also recorded birds, odonates, reptiles, amphibians, and spiders — 152 bird species were recorded in Peechi-Vazhany, in Chimmony and 77 in Chulannur.

EVOLUTION THROUGH LAYERS OF FOOD CHAIN

Scientists now understand how certain animals can feed on picturesque, orange monarch butterflies, which are filled from head to abdomen with milkweed plant toxins. Milkweed produces toxic cardiac glycosides that can kill a horse, or a human, if consumed in high-enough concentration. However, monarch butterflies have evolved a set of unusual cellular mutations to be able to eat this plant. Now, a study carried out by researchers at the University of California, Riverside shows that the animals that prey on monarch butterflies too have evolved these same mutations (Current Biology). The research revealed these mutations in four types of monarch predators — a bird, a mouse, a parasitic wasp, and a worm. "Plant toxins have caused evolutionary changes across at least three levels of the food chain," Simon C Groen, the first author says in a press release. Milkweed toxins target a part of animal cells called the sodium–potassium pump, which helps enable heartbeats and nerve firing. When most animals eat milkweed, the pump stops working. Two years ago, these researchers discovered amino acid changes in three places on the pump that allow monarch butterflies to accumulate the milkweed toxins in their bodies as a defence against attacks. Based on the DNA sequence information, they found black-headed grosbeak, which eats up to 60% of the monarch butterflies in many colonies each year, had evolved the amino acid changes in their sodium pumps.

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HOW CLIMATE CHANGE CAUSES 'DIVORCE' AMONG ALBATROSSES

A new study published in Proceedings of the Royal Society B has provided evidence of the effect of environmental conditions on the longevity of relationships — among a population of albatrosses. It suggests that environmental conditions cause splits between black-browed albatrosses in the South Atlantic, which otherwise have long-term monogamous relationships. So, how exactly can a changing environment cause these birds to split up? The researchers say "divorce" is triggered by breeding failure and that it yields some reproductive benefits, particularly for females which are more likely to find new partners and attain a higher breeding success. They say their results suggest divorce in long-lived monogamous sea populations is an adaptive strategy. The researchers analysed a long-term demographic dataset of the black-browed albatross population in the Falkland Islands, a group of remote islands in the South Atlantic about 483 km from the South American mainland. The researchers' objective was to see if "divorce" was affected by environmental variability over the years. They collected data on their breeding behaviour starting 2003 from New Island, Falklands, which is home to about 15,500 pairs of albatrosses. The study says the "divorce rate" in the study population varied substantially across years and was directly modulated by temporal environmental variability. Higher "divorce rates" were recorded in lower-quality years, it says. "Our work provides, to our knowledge, the first evidence of a significant influence of the prevailing environmental conditions on the prevalence of divorce in a long-lived socially monogamous population," it says. It says all the modelling techniques adopted consistently show that "divorce" is triggered by breeding failure, "but, crucially, that it is also promoted by environmental harshness". "Hence, in light of the dramatic extent of the current climatic changes, the environmentally driven disruptions of the breeding processes of socially monogamous populations might represent an overlooked consequence of global change, with repercussions on demography and population dynamics," the authors note.

EVOLUTION OF IMMUNE MECHANISMS CAN SHAPE GENETIC RISK OF MENTAL ILLNESS

Evolution is a process of natural selection in which traits that improve the fitness of the organism to survive the challenges posed by its surrounding environment. However, genes have multiple effects: The very same genes that are responsible for improving an aspect of the fitness of the organism may have other contributions too, such as increasing the risk for a non-communicable disease. A paper published recently in Scientific Reports shows that this may be the case also with some severe mental illnesses, like schizophrenia and bipolar disorder.

Tracing through families

The study examined 80 individuals from 80 separate families from southern India, which each had several members affected by severe mental illness. Each of these 80 individuals had at least two first-degree relatives who had a major psychiatric disorder, such as schizophrenia, bipolar disorder, obsessive compulsive disorder, dementia or substance use disorder.

Clues in the exome

Researchers from NIMHANS, Bengaluru; Institute of Genomics, Tartu, Estonia and ADBS Consortium, analysed the whole exome data from these 80 individuals and identified 74 genes that were positively selected. "Our genetic material or DNA consists of 3 billion [letters] or bases. Of this, only a small portion codes for the proteins that make up our cells," says Meera Purushottam, from the Department of Psychiatry, NIMHANS, and a corresponding author of the

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paper, in an email to The Hindu. Sequencing the exome means sequencing this, relatively small, portion of the genome, which codes for proteins. Under the premise that differences in the frequency of genetic variants between populations have arisen through natural selection, the researchers compared the exomes of these 80 individuals from families in southern India with multiple members having psychiatric disorders with a second, related population (random members from southern India) and a third set from an African population (which is the 'parent' population). This comparison revealed the genes that have been positively selected for in the 80 individuals. "So, these 74 genes that we have identified are different in more than one way in our patients and their families, compared to what we see in the population at large in this part of the world," says Dr Purushottam. As to the functionality of the genes, the study revealed that many of the 74 were involved in helping the body fight off diseases. "They are needed to process foreign antigens so our immune cells can recognize them as foreign, and are involved in aberrations like graft versus host disease and autoimmune thyroid disease. Many are known for having potential roles in cancer, liver disease and diabetes," says Mayukh Mondal of Institute of Genomics, University of Tartu, Estonia, who is a corresponding author of the paper. The genes also have another side to them. As Dr. Mondal explains, "Importantly, about 20 of them were previously associated with elevated risk for schizophrenia, Parkinson disease, Alzheimer's Disease and cognitive abilities or intelligence. So, there is a suggestion that the risk of all these may be related at some level."

Archaic DNA

There is also the question of the effects of ancient DNA. It is an established fact that there has been intermingling of Homo sapiens with Neanderthals and Denisovans, hence each of us carries 2%-3% of DNA from this mixing in our genome. The group also investigated whether any of the 74 positively selected genes contained such archaic DNA. They found only one gene that contained a sequence of Neanderthal DNA, but that sequence was itself not positively selected for. "Persistence of Neanderthal genes has been linked to risk of disease, as well as persistence of traits and body structure etc. We detected the usual amount of Neanderthal DNA in all the samples, it did not differ between the samples," says Dr. Purushottam. Thus, the study concludes that families with several members affected by severe mental illness can be used to detect signatures of evolution. Also, since immune-related genes show a significant positive selection in these families, the study underlines the contribution of immune mechanisms and infection susceptibility to the genetics of severe mental illness.

Biological reason

Dr. Sanjeev Jain of Department of Psychiatry at NIMHANS, who was one of those who designed the study, says that the risks of mental illness may be incorporated and integrated into our genome. "So we should never think of these [effects] as being different. How these widespread changes increase the risk of mental illnesses is a deep biological issue, and needs to be researched across populations. This will help reduce the stigma of mental illness, if we can reassure everyone that this is a problem that needs to be solved, rather than a burden that must be borne." He also adds that new treatments may emerge only after this understanding. "Mental illness cannot, and perhaps should not, be 'eradicated' or 'defeated' but managed with compassion and dignity, and an understanding that is biological as much as it is psychological."

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COP27, IN EGYPT, MUST FOCUS ON FOOD SYSTEMS

The United Nations Climate Change Conference (COP26) held in Glasgow between October 31 and November 12, 2021 with a huge gathering, generating headlines, criticisms, and some commitments. Governments did commit to reducing greenhouse gas emissions and put forth a record-shattering U.S.$356 million in new support from contributing national and regional governments to protect the most vulnerable. But this is not enough to stay below the limit of 2°C above pre-industrial levels. COP26 fell far short of the ground-breaking success many had hoped for. "Our fragile planet is hanging by a thread... It is time to go into emergency mode — or our chance of reaching net-zero will itself be zero," said UN Secretary-General António Guterres. He added that we must "build [the] resilience of vulnerable communities against the here-and-now impacts of climate change. And make good on the $100 billion climate finance commitment to support developing countries."

Climate crisis and hunger

The agenda of ending world hunger and malnutrition in all its forms by 2030 is facing formidable challenges as the climate crisis and hunger are linked inextricably, and that along with several major drivers have put the world off track. This has been more so after the COVID-19 pandemic has doubled the population under chronic hunger from 130 million to 270 million. Analysis by the United Nations World Food Programme (WFP) shows that a 2°C rise in average global temperature from pre-industrial levels will see a staggering 189 million additional people in the grip of hunger. Vulnerable communities, a vast majority of whom rely on subsistence agriculture, fishing, and livestock and, who contribute the least to the climate crisis, will continue to bear the brunt of the impacts with limited means to cushion the blow. The absence of social protection measures such as food safety nets forces the food insecure to depend on humanitarian aid for survival. Across the world, up to 811 million people do not have enough food and as per the recent WFP estimates, 41 million people in 43 countries are at risk of sliding into famine. The poor and the vulnerable continue to be hardest hit. Even though they contribute least to greenhouse gas emissions, people in low-income countries face the worst impacts. The top 10 most food-insecure countries contribute 0.08% of global carbon emissions. Crop failures, water scarcity, and declining nutrition threaten millions who rely on agriculture, fishing, and livestock (it must be reiterated that they are those who contribute the least to the climate crisis). The climate crisis will impact food production and livelihoods but also, as per the latest Intergovernmental Panel on Climate Change (IPCC) report, threaten nutrition through multi-breadbasket failures.

Adaptation is urgent

Adaptation and resilience-building for poor and vulnerable communities are critical for food security. The focus though has been on reducing emissions and targets related as these are essential to protect livelihoods and the food security of millions. In its outcome document, the conference took note of how climate and weather extremes and their adverse impacts on people and nature will continue to increase with rising temperatures. There is a strong emphasis on the urgency of scaling up action and support, including finance, capacity-building, and technology transfer, to enhance adaptive capacity, strengthen resilience and reduce vulnerability to climate change in line with the best available science, and considering the priorities and needs of developing country parties. Significantly, the statement welcomes the national adaptation plans that deepen the understanding and implementation of adaptation actions and priorities. This is an area where India has a huge role to play with its ongoing and now substantial policy work at the national and State levels. The outcome document also extends an invitation to the IPCC to

present at the COP27 (in Egypt) the findings from the contribution of Working Group II to its Sixth Assessment Report, including adaptation needs to further the understanding of global, regional, and local impacts of climate change, response options, and adaptation needs.

Adaptation finance

The recent pledges made by the developed countries on enhancing climate finance to support adaptation in developing countries to adjust to worsening climate crisis impacts were welcomed in the outcome document from COP26. It observed that the contributions made to the Adaptation Fund and the Least Developed Countries Fund, represent significant progress when compared with previous efforts. The current climate finance for adaptation and base of stakeholders remain insufficient to respond to worsening climate change impacts. "(COP) calls upon multilateral development banks, other financial institutions, and the private sector to enhance finance mobilization to deliver the scale of resources needed to achieve climate plans, particularly for adaptation, and encourages Parties to continue to explore innovative approaches and instruments for mobilizing finance for adaptation from private sources." Mr. Guterres, at an emergency summit in Milan, Italy, at the end of September, had called for funding for developing nations, 50% for adaptation and resilience to the climate crisis. He said, "Adaptation needs are increasing every year." "Developing countries already need $70 billion for adaptation, and that figure could more than quadruple to $300 billion a year by the end of this decade." The WFP is working with communities to adapt to the changing climate that threatens their ability to grow food, secure incomes, and withstand shocks. It has supported 39 governments, helping them realise their national climate ambitions. In 2020, the WFP implemented climate risk management solutions in 28 countries, which benefited more than six million people so that they are better prepared for climate shocks and stresses and can recover faster. In India, the WFP and the Ministry of Environment, Climate Change, and Forestry are planning to develop a best practice model on adaptation and mitigation with potential support from the Adaptation Fund. Here are a few key areas or measures we should focus on. First, creating resilient livelihoods and food security solutions by protecting and improving the livelihood of vulnerable communities. Second, the adaptation of climate-resilient food crops, such as millets, for nutritional security. Third, enabling women's control and ownership of production processes and assets and increased value addition and local solutions. Fourth, promoting a resilient agriculture sector by creating sustainable opportunities, access to finance, and innovation for small-holder farmers, with climate information and preparedness. Fifth, building capacity and knowledge of civil society and governments for vulnerability analysis to increase food security by addressing the link between food security and climate risk.

Fixing broken food systems

The climate crisis impacts all parts of the global food system — from production to consumption. It destroys land and crops, kills livestock, depletes fisheries, and cuts off transport to markets. This impacts food production, availability, diversity, access, and safety. At the same time, food systems impact the environment and are a driver of climate change. COP26 came after the pioneering UN Food Systems Summit in September, which was a wake-up call that food systems are unequal, strained, or broken as 811 million people are going to bed hungry. The United Nations Special Envoy for Food Systems Summit, Agnes Kalibata, has called for an unprecedented focus on food systems — food and agriculture — by ensuring that COP27 has a dedicated focus on this. Reimagining food systems requires us to look at food systems through the prism of climate change adaptation and mitigation, which must also entail making them resilient to climate change and pandemics while making them green and sustainable. We are on the cusp of transformation to

make the world free of hunger by 2030 and deliver promises for Sustainable Development Goals (SDGs), with strong cooperation and partnership between governments, citizens, civil society organisations, and the private sector. This requires reimagining the food system towards balancing growth and sustainability, mitigating climate change, ensuring healthy, safe, quality, and affordable food, with investment from governments and the private sector in supporting farmers while maintaining biodiversity, improving resilience, and offering attractive income and work environment to smallholders and youth.

TWO YEARS OF COVID-19 PANDEMIC: VACCINES, PILLS, AND A MUTANT IN PERSPECTIVE

With more than 260 million cases and 5.2 million deaths due to Covid-19 worldwide as we enter the third year of the pandemic, it is clear that the battle is far from over. Almost all vaccines that are based on the initial Wuhan virus genome have held on to their promise of greatly reducing the risk of severe disease, hospitalisation, and death due to Covid, including the more infectious Delta, which now accounts for over 99% of the pandemic worldwide. But the recent, fierce fourth wave in European countries, more than two-thirds of whose populations are fully vaccinated, and a surge of infections in the US, have sent alarm bells ringing around the world. It is an unfortunate fact that many rich countries have more vaccines in stock than they can consume. About 8 billion shots have been given, but an unacceptable gap remains between rich and poor countries. For example, vaccination coverage in many countries in Africa remains well below 10%.

Protein vaccines' promise

For this, and several other reasons, Indonesia's recent approval for emergency use of the first protein-based vaccine developed by Novavax is welcome news. Unlike the never-used-before platforms of the mRNA and viral vector vaccines, recombinant protein-based technology is time-tested and widely used for many viral diseases. Protein-based vaccines, while slow to develop, are more stable at higher temperatures, easy to scale up, highly cost-effective, safe, and efficacious. The Novavax vaccine showed more than 90% efficacy in a large phase 3 trial. Several other protein-based vaccines are awaiting approval — including those from Biological E (India), Clover Biosciences (China), S K Biosciences (South Korea), and Sanofi/GSK (France/UK). Importantly, clinical trials of these vaccines were carried out when the Delta variant had already taken hold. Their superior safety profile should help address any remaining hesitancy issues. Besides the advantages of accessibility and affordability, these vaccines will be ideal candidates for mix-and-match strategies and booster shots. It is hoped that India will become a major supplier of protein-based vaccines from Biological E and Serum Institute of India.

New therapeutic hope

The search for therapeutics started early in the pandemic. Several known antiviral, anti-infective, and anti-inflammatory agents were tested in clinical trials, but only a few, including remdesivir, were approved for use. However, these needed careful administration in hospitalised Covid-19 patients, and their limited supply, high cost, and moderate efficacy limited their impact. The recent announcement of trial data of two separate antiviral drugs by Merck and Pfizer have raised hopes for easy-to-deliver therapeutic treatment of severe Covid. Both molnupiravir from Merck— which was approved for use in the UK on November 4 — and Paxlovid from Pfizer are pills based on small molecules that can be easily manufactured at scale. Moreover, these can be stored and dispensed at pharmacies, and taken orally at home. Merck has said molnupiravir prevented severe

disease and hospitalisation by about 50%; according to Pfizer, Paxlovid prevented hospitalisation by 89%, making it more efficacious than molnupiravir. Molnupiravir targets a viral enzyme called RNA-dependent RNA polymerase, and introduces a large number of errors in the viral genome leading to severe hampering of replication. Paxlovid is a combination of two molecules, an antiviral and a drug called ritonavir, and acts by blocking the action of a viral enzyme that is crucial for converting viral proteins into their functional forms. A five-day treatment course with molnupiravir requires 40 pills; that with Paxlovid requires 30, including 10 ritonavir pills. Both companies have claimed their drugs are safe, but some categories of patients like pregnant women may be excluded. Many questions regarding the safety profile, efficacy in a range of populations, and development of resistance by the virus can only be answered after these drugs are rolled out at scale. The efficacy results of clinical trials will need to hold in the real-world situation. Indeed, Merck has said that the efficacy of molnupiravir may be lower than what was announced in October. Both Merck and Pfizer have agreed to provide the drugs to poor countries at lower prices, and announced separate deals with Medicine Patent Pool, a UN-supported nonprofit, under which the drugs can be manufactured and sold for cheaper in poor and low-income countries. However, resource-rich countries such as the UK, US, and Australia have placed orders for sizeable numbers of these pills — many parts of the world may thus have to wait for a steady supply of these drugs, as has been the case with vaccines. Also, since these oral pills need to be given early in the infection cycle, timely and quality testing infrastructure will need to be put in place, which may present a challenge for poorer countries. But after the many efficacious vaccines, the addition of oral pills as therapeutics will be another important scientific tool in controlling the pandemic.

The threat from Omicron

The emergence of the highly infectious B.1.1.529 Omicron variant, containing a large number of mutations in the spike protein, has brought the virus back centre-stage. While it seems Omicron has spread fast in South Africa and neighbouring countries, its infectivity and ability to escape vaccine-induced immune responses are yet to be precisely ascertained. The panic response of some western countries to its emergence seems highly exaggerated. An earlier variant of concern, also first detected in South Africa in September 2020 (Beta), was shown to be highly infectious and with the ability to partially escape immune responses, but it did not spread widely. The fact that most Covid vaccines have remained effective in breaking the link between infection and severe disease should nudge policymakers to be patient until the relevant scientific data are gathered. That said, we must remain cautious and well-prepared to deal with any situation due to Omicron. Viruses do not know international boundaries, and it is imperative that all scientific tools and interventions to control the pandemic are equally shared among the haves and have-nots. The best way to deal with Omicron is to go back to the basics with enhanced surveillance, rapid genome sequencing, increased testing and contact tracing, in addition to the Covid-appropriate behaviour of masking, physical distancing, and hygiene. Vaccines are our best bet to fight the virus, and therefore vaccination drives should continue with even greater vigour.

WHAT WE KNOW SO FAR ABOUT OMICRON VARIANT OF COVID-19

The World Health Organization (WHO) classified a new variant of SARS-CoV-2, currently circulating in South Africa, as a 'variant of concern'. It also named it Omicron. The Network for Genomics Surveillance in South Africa (NGS-SA) had identified the variant on Monday. It had detected a group of related SARS-CoV-2 viruses, which belong to a lineage named B.1.1.529. Early

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indications are that this variant is possibly even more transmissible than the highly infectious Delta variant, and that current vaccines may be less effective against it.

What we do know so far about Omicron?

New variants continue to emerge as SARS-CoV-2 spreads, and the significance of each mutation becomes known after a period of time. But health authorities worldwide need to keep a constant watch to identify which ones are more important than others. It was as part of such an exercise that the NGS-SA detected B.1.1.529. From what is known currently, B.1.1.529 has multiple spike protein mutations, and preliminary analysis suggests it is highly infectious. South Africa has reported a four-fold increase in new cases over the last two weeks, coinciding with the emergence of B.1.1.529. On Thursday, the NGS-SA said B.1.1.529 has rapidly increased in Gauteng province, which includes Johannesburg and Pretoria, and may already be present in most provinces. The NGS-SA has said the sustained increase in cases is possibly fuelled by cluster outbreaks.

What are the mutations that characterise this variant?

On the mutation profile of the new variant, the NGS-SA has said that B.1.1.529 has "very unusual constellations of mutations" — with 30 in the region that encodes the spike protein, which is responsible for the virus's entry in human cells. It has said that some of the mutations are well characterised with a known phenotypic impact, affecting transmissibility and immune evasion. Some of these mutations have already been detected in the Alpha and Delta variants. But many other mutations, the NGS-SA said, have been "rarely observed until now and not well characterised". So, the full significance of these mutations remain uncertain at this point. "More investigations are underway to determine the possible impact of these mutations on the capacity of the virus to transmit more efficiently, to impact vaccine effectiveness and evade immune response, and/or to cause more severe or milder disease," the Africa Centers for Disease Control (CDC) has said.

Which of these mutations are of concern?

The NGS-SA has said that a cluster of mutations, known as H655Y + N679K + P681H, is associated with more efficient cell entry, indicating enhanced transmissibility. There is also a deletion, nsp6, which is similar to a deletion in the Alpha, Beta, Gamma, and Lambda variants. The NGS-SA says this may be associated with evasion of innate immunity, and could enhance transmissibility. Again, the new variant carries the mutations R203K+G204R — also seen in Alpha, Gamma and Lambda — and which are associated with increased infectivity.

What is the WHO's assessment?

The WHO said on Friday that its technical advisory group met to review the new variant and designated it as a variant of concern. This effectively means that Omicron has been demonstrated to be associated with one or more of the following changes: increase in transmissibility; and decrease in the effectiveness of diagnostics, vaccines, therapeutics. Earlier in the day, Maria Van Kerkohove, Covid-19 Technical Lead at WHO, had said in a statement: "This variant has been detected and reported to us by our colleagues in South Africa. There are fewer than 100 whole-genome sequences that are available. We do not know very much about this yet. What we do know is that his variant has a large number of mutations. And the concern is that when you have so many mutations, it can have an impact on how the virus behaves."

Are the symptoms any different?

The National Institute for Communicable Diseases (NICD) of South Africa has said that currently, "no unusual symptoms" have been reported following infection with the B.1.1.529 variant. It has highlighted the fact that, as with other infectious variants such as Delta, some individuals are asymptomatic.

How will scientists determine vaccine effectiveness and disease severity?

Omicron's epidemiological and clinical correlation is not fully established. Without that, scientists cannot establish a direct linkage to any surge. South Africa has started to examine the immune escape potential of B.1.1.529 in a laboratory setting. This will also indicate the performance of current vaccines. It has also established a real-time system to monitor hospitalisation and the outcome associated with B.1.1.529. The data will reveal if the mutation is associated with disease severity, or if it may affect the performance of therapeutic medicines being administered in hospitals.

How easy or difficult is it to detect the new variant in RT-PCR tests?

The South African NICD has said B.1.1.529 has a deletion within the S gene that allows for rapid identification of this variant. "However, most other targets (including the N and RdRp genes) remain unaffected from specimens tested in over 100 specimens from testing laboratories in Gauteng so it is unlikely that overall PCR test sensitivity is affected. These PCR tests typically detect at least two different SARS-CoV-2 targets, which serves as a backup in the case of a mutation arising in one," the NICD said.

What precautions should one take?

All the expert bodies have stressed that vaccination remains critical, especially to protect groups at high risk of hospitalisation and death. Real-time data have shown that high vaccination rates also significantly reduce the strain on health systems. The emergence of the new variant shows once again that the pandemic is far from over — and Covid-appropriate behaviour is critical for breaking the chain of transmission: masking, social distancing, good ventilation in all shared spaces, and washing or sanitising hands and surfaces regularly.

SCALE UP SUPPLIES

A new Greek tragedy has risen with the World Health Organization (WHO) designating Omicron, a SARS-CoV-2 variant, as a 'variant of concern' (VOC). While it took WHO several weeks to designate older VOCs such as Alpha, Beta and Delta as a VOC when they emerged, in the case of Omicron, which was first confirmed in Botswana, it moved without even waiting for reports on the variant's increased likelihood to cause disease and whether it is denting the normal public health response. Omicron has now been confirmed in South Africa, Botswana, the U.K., Germany, Italy and travellers into the Netherlands and Israel. It reportedly has over 50 mutations, 32 of which are on the spike protein, which binds to human cells and is the preferred target for vaccines. Several of the mutations confer the virus resistance to monoclonal antibodies (mAbs) such as etesevimab, bamlanivimab, casirivimab and their combinations. Antibodies are the first line of defence against viral infection and mAbs are used in treatment. However, it is important to emphasise that every single mutation does not independently increase virulence and combinations of them might sometimes temper, and sometimes aggravate, virus properties. The virus has been detected in comparable numbers only in South Africa's Gauteng province, but the

variant comprises over 90% of the fraction of genomes from those who tested positive there within just 10 days. Some nations have already imposed travel bans on flights from South Africa. Given that Omicron is a variant of the virus that can be detected by the PCR test, these countries, rather than imposing a ban, should have taken the more considered step of screening passengers and followed the usual protocols of isolation and treatment. India has done well so far to adhere to this system and observing caution. Detecting a variant in a country does not imply it originated there. Travel bans punish South Africa for its transparency and forthrightness in alerting the world to this variant. South Africa's number of daily infections — 2,828 on Friday — pales in comparison to daily numbers in the United States, Germany and Britain. However, a little over 10% in Africa have received one dose of a vaccine, compared with 64% in North America and 62% in Europe. The panic over the variant shifts blame away from the world's colossal failure in not making more vaccines available in Africa even as many countries roll out third doses. From day one, the science was clear cut that the pandemic cannot end unless the whole world is protected. India must scale up supplies to COVAX, the international consortium seeking to vaccinate countries with limited access, as well as coax countries with surplus stocks to do so.

PARDON OUR FRENCH

Nearly two hundred years ago, the French writer Jean-Baptiste Alphonse Karr wrote, "plus ça change, plus c'est le même chose." The more things change, the more they stay the same. No matter what time and tide bring, defenders of "tradition" and "purity" will always stand its path, armed with all the cudgels at their disposal to beat it back. A recent example is the storm of protests that erupted over the recognition of a non-binary pronoun by a dictionary. Le Petit Robert, one of the leading French dictionaries, has added the word "iel" — a combination of the masculine "il" and the feminine "elle" — in its online list of words, in an effort to be more inclusive of those who do not identify as male or female. The people of France are, understandably, fiercely protective of their language and cultural heritage, but the outcry by some over the dictionary's move is mystifying. Take, for instance, what France's First Lady Brigitte Macron said: "There are two pronouns: he and she… Our language is beautiful. And two pronouns are appropriate." But in what way is the beauty of a language diminished if it opens up to accommodate those who may have felt excluded before? And who decides how many pronouns are "appropriate"? Surely that comes down to those who speak the language and, in the case of French, many gender non-binary people had already been using the new pronoun to self-identify. And that is precisely why Le Petit Robert decided to include the new pronoun — to reflect the reality that a language, much like those who use it, is a living thing that grows and changes over time. To those who fulminate against this incontrovertible fact, like education minister Jean-Michel Blanquer, who reportedly said that "inclusive writing is not the future of the French language", one can only say: C'est la vie.

HOLDING SOCIAL MEDIA PLATFORMS ACCOUNTABLE FOR TROLLS: WHAT A DRAFT BILL IN AUSTRALIA PROPOSES

The Australian government released the draft of a Bill aimed at holding social media companies accountable for the content posted on their platforms, and protecting users from trolls. In a statement on the Social Media (Basic Expectations and Defamation) Bill 2021 issued on Sunday, Prime Minister Scott Morrison's office said: "The reforms will ensure social media companies are considered publishers and can be held liable for defamatory comments posted on their platforms. They can avoid this liability if they provide information that ensures a victim can identify and commence defamation proceedings against the troll." Morrison said, "Social media can too often be a cowards' palace, where the anonymous can bully, harass and ruin lives without consequence.

We would not accept these faceless attacks in a school, at home, in the office, or on the street. And we must not stand for it online, on our devices and in our homes."

What it proposes

* Australians and Australian organisations with a social media page will not be legally considered publishers of content posted there

* Australians will be able to file a complaint if they have reason to believe that they are being defamed by material posted online on a particular social media service.

* Individuals will also be able to give the provider of the service a defamation notice, provided they are able to give evidence that the material in question was the subject of a complaint.

* Social media platforms will be required to establish a standardised complaints system whose purpose will be to ensure that defamatory remarks can be removed and trolls can be identified with their consent.

* Social media companies will also be required to disclose identifying details of trolls to victims without consent, which will enable a defamation case to be lodged.

The trigger

The Bill comes in response to a Australian High Court judgment that media companies could be held liable for comments that were left by third parties on their social media pages. Dylan Voller, who was the subject of various news stories about youth detention, had brought defamation proceedings against media companies including The Sydney Morning Herald and Rupert Murdoch's The Australian. He alleged that after the media companies published posts about the news stories that referred to him on their Facebook pages, various third-party users made defamatory comments against him. Lawyers for the media outlets, for their part, argued that they could not be held liable for third-party comments since they were not the publishers of those comments. On September 8, the High Court of Australia ruled in favour of Voller. It dismissed an appeal by the three media outlets against a decision by the Court of Appeal of the New South Wales Supreme Court, which had said that, "by posting content relating to news stories about Mr Voller, the respondent, on their respective Facebook pages, the appellants were liable for the publication of allegedly defamatory 'comments' that were posted by third-party Facebook users in response to the content." The statement from the PM's office quoted Attorney-General Michaelia Cash as saying: "Since the High Court's decision in the Voller case, it is clear that ordinary Australians are at risk of being held legally responsible for defamatory material posted by anonymous online trolls... The reforms will make clear that, in defamation law, Australians who operate or maintain a social media page are not 'publishers' of comments made by others."