



CURRENT AFFAIRS for UPSC

21st to 27th August 2022

DreamIAS



INTERNATIONAL

WHY ARE SOUTH KOREA AND THE US CARRYING OUT MASSIVE JOINT MILITARY DRILLS AROUND NORTH KOREA?

South Korea and the United States began their largest joint military drills since 2017 this week. A Reuters report said the military drills included the resumption of field training. These joint military drills are designed to test readiness against North Korea's missile tests, the report said.

The drills, called the Ulchi Freedom Shield, are scheduled to run until September 1. They are tri-service drills involving thousands of troops as well as live-fire exercises. North Korea has said these joint drills are a rehearsal of invasion.

Why are the drills being held now?

These drills had been scaled back significantly because of the Covid-19 pandemic, and because South Korea's former President Moon Jae-in had attempted to restart diplomatic talks with Pyongyang to get it to denuclearise.

South Korea's new President Yoon Suk-yeol has a markedly different approach to North Korea in comparison to his predecessor. After taking office in May this year, Yoon had vowed to "normalise" these joint exercises.

During the campaign before elections, Yoon had been critical of President Moon's efforts to engage with North Korea and accused him of being "submissive" to Pyongyang.

Also, former US President Donald Trump considered these joint military drills as being too expensive and too provocative. He too had tried to reach out to North Korea, and had met the country's leader Kim Jong-un in Singapore for a summit in 2018. Experts had predicted that South Korea's policies towards North Korea under Yoon's presidency would shift to those that previous conservative governments had adopted.

What is the purpose of these drills?

In addition to these joint drills, South Korea has also started the four-day Ulchi civil defence drills this week that is scheduled to end on Thursday (August 25). According to a Reuters report, Yoon had said these military and civil drills "are aimed at improving the country's preparedness to match the changing patterns of war, with evolving cyber threats against key facilities such as chip factories and supply chains".

Yoon had called for these drills citing the need for more exercises designed on real scenarios. "Maintaining peace on the Korean peninsula is built on our airtight security posture," the report quoted Yoon as saying.

According to a report in The Korea Times, the drills will include a rehearsal of "scenarios, such as responding to North Korea's attacks on key industrial facilities including an airport, a semiconductor factory or a nuclear power plant. The Ministry of Defense's report to the National Assembly shows that their training script reflects many of the actual combat situations being experienced in Ukraine, which has been defending its territory against Russia for more than six months now".



“Today’s war is different from the one of the past. It may involve cyberattacks on key facilities such as ports, airports and (the manufacturing plants of) semiconductors or attacks on the supply chains of important materials, with the aim of neutralizing our war capabilities,” Yoon was quoted as saying.

Is there an immediate threat of tensions in the region?

North Korea has conducted an unprecedented number of weapons tests in 2022 and fired more than 30 ballistic missiles this year, marking the largest number of ballistic missiles launched in a single year. US and South Korean officials have claimed that Pyongyang is preparing to conduct its seventh nuclear test later this year, according to a DW report. North Korea conducted its sixth nuclear test in September 2017.

These joint drills come after North Korea rejected South Korea’s proposals that Pyongyang give up its nuclear capabilities in phases, in return for economic benefits.

Kim Yo-jong, the sister of North Korean leader Kim Jong-un, called South Korea’s proposal “foolish”, and criticized Seoul for resuming joint military drills with the US. North Korea has also accused South Korea of being responsible for the spread of Covid-19 in the country.

THE NUCLEAR FRONTLINE

Ukraine has already endured one of the worst disasters in the history of nuclear energy — the accident at the Chernobyl plant in 1986. Less than four decades later, nuclear alarm bells are ringing again in the region — this time over the Zaporizhzhia nuclear power station in southern Ukraine.

The Zaporizhzhia plant was built by the Soviet Union in the early 1980s. Its six water-cooled reactors occupy half a square mile on the banks of the Dnieper River near the town of Enerhodar. With a capacity of 5,700 MW, it is Europe’s largest nuclear plant. Until the Russian invasion of Ukraine in February 2022, it used to supply one-fifth of the country’s electricity.

Soon after Russian President Vladimir Putin launched his ‘special military operation’, on March 4, Russian forces took over the plant. It continued to be operated by Ukrainian staff, but under the supervision of executives from Rosatom, Russia’s state-owned atomic energy corporation. While things were initially quiet, recent weeks have seen the war spill over into the premises of the plant, raising the spectre of yet another nuclear disaster.

Although the plant has come under periodic shelling, experts believe the risk posed by targeted shelling of the reactors is minimal. Unlike the Chernobyl reactor that exploded, the Zaporizhzhia reactors are encased in concrete that’s nearly 10 metres thick, making damage from shelling unlikely. Experts point to two likely accident scenarios — a reactor meltdown caused by damage to the cooling systems, and leakage of radioactive material due to an attack on spent fuel storage sites. In either case, the fallout would be localised, and limited to a maximum of 30-km radius.

Given that even in a worst-case scenario, the effects of an accident would not be felt beyond the war zone, what explains the tendency, on either side, to play up the nuclear risks? For the Russians, it could serve two ends: to try and discourage the West from feeding the Ukrainian war effort with military aid, and at the same time, keep up domestic support for the war. For Ukraine,



the discourse of a nuclear scare is another opportunity to garner sympathy from the global community and put further pressure on Russia.

From Chernobyl to Three Mile Island and Fukushima, nuclear disasters have all been in peacetime. It is rare for a nuclear plant to be caught in a war zone. And yet, shutting down a nuclear reactor is not easy either. At the same, with Ukrainian staffers fleeing the plant at every opportunity, and new recruits hard to come by, it is becoming difficult for Russia to keep the plant running, and running safely.

A PERILOUS STALEMATE

Six months after Russia began its invasion of Ukraine, the conflict seems to have entered a dangerous stalemate. Ukraine resisted the Russian attack well, forcing the invading troops to retreat from around Kyiv, its capital, and Kharkiv, the second city, but in the east and south, it lost swathes of territories. The war seems to have strengthened the trans-Atlantic alliance, which was evident in Sweden and Finland applying to join NATO, but the West is reeling under the heat of the economic consequences, especially amid growing fears of Russian gas supplies drying up during winter. Russia made territorial gains in Donbas and in southern Ukraine, but its setbacks in the north and northeast and its inability to take quick, decisive battlefield victories elsewhere exposed the gap between its rhetoric and the reality. Russia has stopped ground assaults but it continues to bomb Ukrainian cities at will, the latest being an attack on a railway station on August 24, Ukraine's Independence Day, that also marked six months of the invasion. Ukraine's strategy appears to be making the occupation costly for the Russians rather than taking back territories. Russia's Crimea and Kherson bases have come under repeated attacks. The Russian intelligence has blamed Ukraine for a car bombing that killed the daughter of an ally of President Vladimir Putin.

Reports in recent weeks suggest that the Russian intelligence gravely miscalculated the Ukrainian resistance before the war. When the Kyiv regime stayed put in the face of Russia's multi-axis assault, the Russian generals had to change their strategy, from lightning strikes across the country to a focused ground invasion in the east. Even that was made complicated by Ukraine's resistance, which got military and financial assistance from the West. As the war dragged on, the West's resolve to punish Russia only hardened, leading to crippling sanctions on the Russian economy. So, Mr. Putin is now in a spot, despite the limited battlefield gains of his troops: managing the sanctions-hit economy itself is a tall task; continuing the war would be costly, and there is no certainty that he would meet his strategic goals through a long-term war. And for Ukraine, despite its resistance capabilities and the support from the West, taking back territories using force remains impractical. So, to break the stalemate, what both sides can do is to agree to a ceasefire and start direct talks seeking a political solution. The UN and Turkey-mediated talks that saw a breakthrough in July in shipping grain from Ukraine's ports via the Black Sea are a model worth being followed. Regional players with communication lines open to Moscow and Kyiv should push them to come to the table. If a war of attrition is allowed to grind on, it would continue to hurt all stakeholders, besides holding the global economy hostage.

WHO IS ALEXANDER DUGIN, A PROMINENT BACKER OF PUTIN'S UKRAINE WAR WHOSE DAUGHTER WAS KILLED IN A CAR BLAST?

The daughter of a Russian nationalist ideologue and a powerful ally of President Vladimir Putin was killed in car bomb blast on the outskirts of Moscow Sunday.



Daria Dugina, the 29-year-old was the daughter of Alexander Dugin, was in an SUV when the bomb went off.

According to Russian media reports, the vehicle belonged to her father and that he had decided at the last minute to travel in another car. Dugina was returning from a cultural festival she had attended with her father.

According to a report in the Associated Press, Denis Pushilin, president of the separatist Donetsk People's Republic that is a focus of Russia's fighting in Ukraine, has blamed the attack on "terrorists of the Ukrainian regime, trying to kill Alexander Dugin".

Putin's brain'

Sixty-year-old Dugin is an influential writer, political philosopher and analyst who is well known for his intellectual influence on Russian President Vladimir Putin.

The Moscow-born author of more than 30 books is also sometimes referred to as "Putin's philosopher" or "Putin's brain". However, while some Russia watchers support the idea of his significant sway, others call it minimal.

Dugin, according to The Washington Post, rose to national prominence in the 1990s while writing for the Den, a far-right newspaper.

He was also the former chief editor at Tsargrad TV, a network backing Putin and the Russian Orthodox Church. According to a BBC report, Dugin is seen as a symbolic figure in Russian politics despite not holding any official state position.

His political views

Russia's current political ideology is believed to be dominated by Dugin's views. Known for his ultra-nationalist, anti-West views along with a vision of a more powerful and aggressive Russia, Dugin has long advocated the unification of Russian-speaking and other territories in a vast new Russian empire.

Dugin has been a staunch backer of Putin's Ukraine war. He was also targeted by US sanctions for his links with militants in eastern Ukraine. A proponent of the idea of Novorossiya (New Russia), he is also considered the ideological author of Putin's Ukraine strategy.

Dugin is known to hold the view that an independent Ukraine poses a "huge danger to all of Eurasia", and that the total military and political control of the whole north coast of the Black Sea was an "absolute imperative" of Russian geopolitics. He has also pushed the idea of Ukraine becoming "a purely administrative sector of the Russian centralized state", an essay in the New York Times said.

FINLAND PM'S 'PARTYGATE' EPISODE FRAMES LARGER ISSUES AND BLURRED LINES. IT CALLS FOR SOBER CONVERSATION, NOT HASTY VIRTUE-SIGNALING

There is an undeniable element of sexism and ageism to the opprobrium heaped on Finland's Prime Minister, Sanna Marin, after a video of her uninhibitedly enjoying herself at a party surfaced earlier this month. At 36, Marin is one of the youngest heads of government in the world and since her tenure began in 2019, she has been a popular and also polarising figure in domestic politics. Take, for instance, the demands by Opposition leaders, and even from her political allies, that she



take a “voluntary drug test” after the party video surfaced. Boris Johnson, who blatantly lied about flouting Covid-19 protocols at 10 Downing Street while the UK was under harsh pandemic restrictions, did not face any such questions. Marin has now apologised — she had also issued an apology for a visit to a club in December 2021 after being exposed to a Covid-positive person.

There is much that is problematic in the targeting of Marin for her alleged indiscretions but the defence that has been offered on her behalf — that this is just “what people her age do”, or that the party was a private affair — only turns the spotlight on a larger question: For people in public life in the age of social media, where must the line be drawn between the public and private? On the one hand, young and tech-savvy politicians like Marin have used social media to their great benefit. For those from the generation that has grown up with the internet, this may seem perfectly natural. Yet it is also true that the public image of a political leader often needs to serve a broader constituency, including among other world leaders, and the notion that “this version of me is informal, apolitical and private” while the more rehearsed or choreographed moments are meant for the public at large, may not be as easy to define. There are also questions about security — and not just so-called propriety — that arise from the prime ministerial judgement, or lack of it, shown in letting down her guard among people who would then make images and videos of a private party public.

The rise of social media is changing politics, and also politicians. Not all sections of society have caught up with these transformations wrought by technology, and many of the old shibboleths around the public and private spheres need to be rethought and re-articulated. That debate needs sober conversation and deliberation, not the hurried virtue signalling of Partygate.

FIGHT FOR SURVIVAL

The delicate but peaceful transition of power in Somalia earlier this year after the delayed but successful completion of the legislative and presidential elections had raised hopes that the conflict-stricken country in the Horn of Africa was finally moving towards some political stability. But Friday’s siege of an upscale hotel in the capital Mogadishu — at least 20 people were killed — is a grave reminder of the security challenges the country is facing despite the promises made by the new administration of President Hassan Sheikh Mohamud to ideologically, financially, and militarily defeat violent extremists. Armed militants stormed the hotel and took several civilians hostage before security personnel ended the siege about 30 hours later, as claimed by al-Shabab. This al-Qaeda-affiliated terror outfit, which controls much of southern and central parts of Somalia, has repeatedly targeted civilians and security personnel in government-controlled territories. In recent years, despite international counter-terror measures, al-Shabab has grown in strength, cashing in on the humanitarian crisis in Somalia and the security crises in neighbouring countries. According to a 2020 report, it collects more revenue than the government, has built one of the strongest terrorist machineries in the continent, and is now seeking to expand its influence across the Horn of Africa.

Somalia has long been called a failed or fragile state. It has also seen one of the biggest failures of international counter-terror operations. Civil conflicts in Somalia can be traced back to the dictatorship of General Siad Barre. As Barre’s regime collapsed in 1991, the country fell into chaos and civil war, with different clan-based armed groups fighting one another. Since then, Somalia has seen several attempts to form a stable state and regional and international interventions to establish security, but none has proved successful. Al-Shabab emerged from this chaos and went on to become what it is today. Part of the problem is that the government’s writ does not run in



regions beyond the capital. The country is also witnessing a massive humanitarian crisis amid a severe drought. As state institutions remain fragile and dependent on the mercy of international donors, it is easy for the militants to retain their territorial fiefs. There are no magic bullets for Somalia's woes. But to begin with, the federal government in Mogadishu and its regional and international backers should have a comprehensive security and crisis-response approach. The government's focus should be on providing essential services, goods and relief to the people while at the same time establishing an effective and affordable security architecture through a broad-based political consensus. Both state-building and counter-terror operations should be carried out side-by-side and the international community should generously back Somalia in its fight for survival.

BRAZIL PRESIDENT BOLSONARO HOLDS OUT THREAT OF NOT ACCEPTING ELECTORAL VERDICT. POPULISTS ARE OFTEN SCARED BY POPULAR WILL

It's easy to forget, given its current ubiquity, what a curious anomaly modern representative democracy really is. Throughout much of human civilisation, the idea that a group that holds office will voluntarily give up their power — on a principle as capricious as one person-one vote — had little currency. After all, it was only after World War I that many of the West's so-called liberal democracies granted the franchise to women. The widespread success and acceptance of democratic politics, then, is indeed commendable. And the unfortunate attempts in many parts of the world to undermine the system are disturbing.

Brazil President Jair Bolsonaro — like Donald Trump, who he seems to have styled himself after — has been described as a “strongman”. This “strength” has been manifested in statements against vulnerable groups and minorities, LGBTQ persons, Covid-denial and a general lack of respect for institutions. Now, as the election season in the country heats up, Bolsonaro is following a similar script to populists elsewhere, notably Trump: He is gearing up to deny a popular mandate. The president has recently repeatedly questioned Brazil's election officials and voting machines and said that he will not accept the electoral outcome. Hinting at support from the armed forces, he has told people to “prepare for war” in case the verdict is, in his reckoning, suspect.

“Strongmen”, too often, are too feeble to take on challenges to their power. State power is used to target opponents, and when they do not succumb, they are demonised in the name of popular will. The final irony is when even the popular will — expressed through an election — ceases to be popular enough. Hopefully, Bolsonaro's grandstanding, while exposing the strongman's weakness, will not taint Brazil's politics, come election day.

SINGAPORE WILL REPEAL LAW AGAINST GAY SEX, SAYS PM

Singapore's Prime Minister Lee Hsien Loong announced on Sunday the country will repeal a colonial-era law criminalising gay sex, though he maintained that the government will continue to “uphold” marriage as between a man and a woman. Inherited from the British colonial era, Section 377A of Singapore's penal code penalises sex between men with up to two years in jail. Gay rights campaigners have long said the law runs afoul of the affluent city-state's increasingly modern and vibrant culture, and had mounted two unsuccessful legal challenges.

'Attitudes have shifted'

The Prime Minister said attitudes have shifted since 15 years ago when the government decided the law should remain, although it has not been actively enforced.



Gay people “are now better accepted” locally, especially among younger Singaporeans, he said.

However, the repeal of the Section stops short of full marriage equality.

Mr. Lee said the government recognises that “most Singaporeans do not want the repeal to trigger a drastic shift in our societal norms across the board”, including how marriage is defined and how it is taught in schools. “Hence, we will uphold and safeguard the institution of marriage,” he said.

He stressed that under the law, “only marriages between one man and one woman are recognised in Singapore”. The government will amend the Constitution to protect the existing definition of marriage from being challenged constitutionally in the courts, Mr. Lee added.

Gay rights campaigners on Sunday expressed “relief” over the government’s decision.

THE CONTROVERSY AROUND NEPAL’S NEW CITIZENSHIP LAW

The story so far: On August 16, Nepal President Bidhya Devi Bhandari sent back the Citizenship Amendment Act, 2006 to the Pratinidhi Sabha (House of Representatives), the lower house of the Nepal Parliament, urging the members to reconsider the Act. Ahead of the election season, this clash between the President and the Pratinidhi Sabha has ignited a heated debate over the question of citizenship in Nepal.

What is the issue of citizenship in Nepal about?

Nepal transitioned into a democracy beginning with the fall of the monarchy in 2006 and the subsequent election of the Maoist government in 2008. The emergence of the multiparty system was followed by the adoption of a constitution on September 20, 2015. All Nepalese citizens born before this date got naturalised citizenship. But their children remained without citizenship as that was to be guided by a federal law which has not yet been framed. This amendment Act is expected to pave the way to citizenship for many such stateless youth as well as their parents.

What are the issues with the Act?

The main criticism against the Citizenship Amendment Act, 2006 is that it goes against established parameters of gender justice. A cursory reading also reveals contradictions among various sections of the law. According to Article 11(2b), a person born to a father or a mother with Nepalese citizenship can get citizenship by descent. Article 11(5) of the constitution says a person who is born to a Nepalese mother (who has lived in the country) and an unidentified father will also get citizenship by descent. But this section appears humiliating for a mother as she has to declare that her husband is unidentified for the child to be eligible for citizenship. In case of a Nepalese father, such declarations are not required.

Article 11(7) which says that a child born to a Nepalese mother and a father holding a foreign citizenship can get “naturalised citizenship” in accordance with the laws of Nepal appears to contradict Article 11(2b). It places a condition of permanent residency on the mother (and the child) which will determine the grant of citizenship for the child.

Why has the President refused to sign the Act?

Ms. Bhandari is the first female President of Nepal. Her refusal to sign the Act has drawn attention to certain sections in the constitution that thrusts greater responsibility on women. For example,



Article 11 (5) says that a person who is born to a Nepalese mother and an unidentified father can be granted citizenship by descent. Next, it says that in case the unidentified father turns out to be a foreigner, the citizenship by descent would be converted to naturalised citizenship. Furthermore, it supports punitive action against the mother if the father is found later.

Why has the amendment been framed thus?

There is an unarticulated concern in the orthodox sections of the country that as Nepalese men, particularly from the Terai region, continue to marry women from northern India, Nepalese identity would be undermined. Because of this "Beti-Roti" (Nepalese men marrying Indian women) issue, many women could not become citizens of Nepal as they were subjected to the infamous seven-year cooling off period before they could apply for citizenship in Nepal. As such women were stateless, children of such families were also often found to be without Nepalese citizenship. However, the new amendments have done away with the cooling off period for these stateless women. This will benefit the children of such families where the mother and children remained stateless for years.

This has however created a division among the major political parties. The Communist Party of Nepal (Unified Marxist–Leninist) wanted to retain the cooling off period while the ruling Nepali Congress and the Maoist party of Pushpa Kamal Dahal Prachanda supported the removal of the cooling off period. It is understood that the Prime Minister of Nepal Sher Bahadur Deuba will go to the upcoming polls with the Act as the achievement of his government despite opposition from President Bhandari who took charge during the Prime Ministerial tenure of K. P. Sharma Oli.

Despite support from the Madhesi parties (parties formed from the Madhesi movement which advocated greater representation and equal citizenship rights for the people of the Terai region of Nepal), the inter-ethnic nature of the citizenship dispute has come to the surface because of the controversy triggered by President Bhandari's rejection.

What is the road ahead for the Act?

As of Thursday, Nepal Citizenshipless Struggle Committee held a protest in Kathmandu demanding that President Bhandari should ratify the Act that was passed again by the Pratinidhi Sabha for the second time. They argue that women of Indian origin, who were deprived of rights because of the cooling off period and bureaucratic procrastination, and their children will be stuck in a stateless condition if the Act is not recognised by the President's office.



NATION

'INDIA'S VOTE TO ALLOW ZELENSKY SPEECH WAS NOT AGAINST RUSSIA'

India on Thursday denied that it had voted “against Russia”, at the UN Security Council during a procedural vote on whether to allow Ukrainian President Volodymyr Zelensky to address the Council virtually during a debate on the Ukrainian situation on August 24. Russia, which had requested the vote, was against allowing the Ukrainian President to speak via VTC (Video TeleConferencing) and called for him to come in person to New York or allow the Ukrainian Ambassador to speak during the debate that marked six months of the conflict. China abstained, while India, along with the remaining 12 members, voted in favour of Mr. Zelensky speaking at the debate. Officials said the vote was not about Russia or Ukraine, but about whether to vote for or against Mr. Zelensky’s participation. “My understanding is that we have not voted against anybody. It was a proposal to allow him to speak virtually, and we allowed it. It was the third occasion he spoke virtually [at the UN], and we supported that. So there is no question of us voting against Russia,” said MEA spokesperson Arindam Bagchi when asked about the vote at his weekly media briefing. At the UNSC on Wednesday, India’s Permanent Representative Ruchira Kamboj had appealed for diplomacy and dialogue between Russia and Ukraine, and said India continues to send humanitarian aid to those affected by the conflict and work with other countries to mitigate food and fuel shortages emerging from the conflict. Officials stressed that India’s stand on the issue hasn’t changed, downplaying the significance of India’s vote to allow Mr. Zelensky’s speech.

India’s vote was considered unusual as this is the first time India’s vote on a UN issue pertaining to the Ukraine conflict has gone “against” Russia’s vote. In more than a dozen such votes at the UNSC and UN General Assembly since February this year, when Russian President Vladimir Putin ordered attacks on Kyiv and Ukrainian cities in what he called a “special military operation”, India has abstained and refused to support any statement critical of Russian actions. “Technically, yes, we voted against a Russian preference, but in reality the question before us was different,” one official said.

The Indian vote also followed a few weeks after External Affairs Minister S. Jaishankar spoke to Ukrainian Foreign Minister Dmytro Kuleba on August 8 about humanitarian assistance, including medicines and bandages that India has dispatched to Ukraine. However, since then Ukraine stepped up criticism of New Delhi’s decision to substantially increase its imports of Russian oil, and in a virtual press briefing on August 17, Mr. Kuleba said he had hoped for more “practical support” from India.

REINVIGORATING THE CHABAHAR PORT

The story so far: After months of what appeared to be a “go-slow”, the Union government has revved up its interest in using Iran’s Chabahar port to connect to Afghanistan and Central Asia for trade, with the visit of the Union Minister of Ports, Shipping & Waterways Sarbananda Sonowal to the port on August 20.

Why is Chabahar back in the news?

Ahead of the visit to Iran, where Mr. Sonowal met with senior Ministers as well as officials connected to the Shahid Beheshti terminal project development, an official statement said that the



visit would be a chance to “strengthen ties and the maritime relationship” between the two countries. “Due to [the] pandemic, there were less number of visits from India to Iran and vice-versa... This visit will also highlight the importance of Chabahar as a gateway for Indian trade with Europe, Russia and CIS [Commonwealth of Independent States] countries,” the statement said. During the Chabahar visit, Mr. Sonowal reviewed the progress in the work on the terminal and handed over six mobile harbour cranes “to improve efficiency” and “invigorate the potential of Chabahar” in the loading and unloading operations at the port.

What is India’s strategic vision for Chabahar?

When the first agreement for Chabahar was signed by then Prime Minister Atal Bihari Vajpayee in 2003, the plan had a three-fold objective: to build India’s first offshore port and to project Indian infrastructure prowess in the Gulf; to circumvent trade through Pakistan, given the tense ties with India’s neighbour and build a long term, sustainable sea trade route; and to find an alternative land route to Afghanistan, which India had rebuilt ties with after the defeat of the Taliban in 2001.

Subsequently, Prime Minister Manmohan Singh’s government constructed the Zaranj -Delaram Highway in Afghanistan’s South, which would help connect the trade route from the border of Iran to the main trade routes to Herat and Kabul, handing it over to the Karzai government in 2009.

In 2016, Prime Minister Narendra Modi travelled to Tehran and signed the agreement to develop Chabahar port, as well as the trilateral agreement for trade through Chabahar with Afghanistan’s President Ashraf Ghani. Since the India Ports Global Chabahar Free Zone (IPGCFZ) authority took over the operations of the port in 2018, it has handled 215 vessels, 16,000 TEUs (Twenty-foot Equivalent Units) and four million tons of bulk and general cargo, the government said in Parliament last month.

In the last few years, a fourth strategic objective for the Chabahar route has appeared, with China’s Belt and Road Initiative making inroads in the region. The government hopes to provide Central Asia with an alternate route to the China-Pakistan Economic Corridor (CPEC) through Iran for future trade. Speaking a few days earlier on the occasion of a “Chabahar Day” function in Mumbai, Mr. Sonowal said that it is India’s vision to make the Shahid Beheshti port a “a transit hub” and link it to the International North South Trade Corridor (INSTC), that also connects to Russia and Europe.

Why is the Chabahar dream taking so long to realise?

Since the beginning, the development of the Shahid Beheshti terminal in Chabahar as well as surrounding infrastructure has hit geopolitical road-block after road-block; the biggest issue has been over Iran’s relationship with western countries, especially the United States. In years when western sanctions against Iran increased, the Chabahar project has been put on the back-burner, while in the years when nuclear talks that resulted in the Joint Comprehensive Plan of Action (JCPOA) in 2015 came into being, the Chabahar port has been easier to work on. In 2018, the U.S. Trump administration put paid to India’s plans by walking out of the JCPOA and slapping new sanctions on dealing with Iran. This led to the Modi government “zeroing out” all its oil imports from Iran, earlier a major supplier to India, causing a strain in ties. Despite the fact that the U.S. made a special “carve-out” on sanctions for Chabahar, on the ground, it has been difficult to source equipment for the port construction from infrastructure companies that continue to fear secondary sanctions, as well as to engage shipping and insurance companies for trade through Chabahar.



The Modi government also snapped ties with Afghanistan after the Taliban takeover in August 2021, which put an end to the humanitarian aid of wheat and pulses that was being sent to Kabul via Chabahar. When India restarted wheat aid to Afghanistan this year, it negotiated with Pakistan to use the land route instead.

With the government now reopening the Indian Embassy in Kabul, and establishing ties with the Taliban government, it is possible that the Chabahar route will once again be employed, another reason for the recent flurry of activity at the Iranian port terminal that India has pinned so many hopes on.

IAF SACKS 3 OFFICERS IN MISSILE FIRING CASE

A Court of Inquiry (CoI) of the Indian Air Force (IAF) into the accidental firing of a BrahMos supersonic cruise missile in March, which landed in Pakistan, found that deviation from standard operating procedures (SOP) by three officers led to the incident. Services of the officers have been terminated with immediate effect, the IAF said on Tuesday.

The missile landed 124 km inside Pakistan, following which the IAF ordered a CoI headed by an Air Vice-Marshal, a two-star officer, to investigate the incident.

A day after the incident, the Pakistan military said the supersonic surface-to-surface missile flying at three times the speed of sound at 40,000 feet ended up 124 km inside Pakistan, damaging some civilian property.

As reported by The Hindu earlier, the CoI completed its investigation in early April, following which the findings were sent for legal vetting before they could be submitted.

Officials had said that it did not seem to be a technical issue with the missile system; the CoI would confirm the exact nature of the accident.

Defect ruled out

Officials with knowledge of the missile system had said that there are a series of checks and balances built into the high-end missile system, while ruling out the possibility of a technical defect.

These include a series of software locks, which are authorised at various levels, after which there are two manual keys before the countdown can be initiated.

In a statement in Parliament on March 15, Union Defence Minister Rajnath Singh said that during “routine maintenance and inspection”, a missile was “accidentally released” around 7 p.m. and it was later learnt that the missile had landed inside the territory of Pakistan.

Missile is reliable

Stating that the missile system was “very reliable and safe”, Mr. Singh said a review of the SOP for “operations, maintenance and inspections” was being conducted.

BrahMos is a joint venture between the Defence Research and Development Organisation (DRDO) and Russia-based NPO Mashinostroyeniya and the missile derives its name from the Brahmaputra and Moskva rivers.



HEADING THE G20 AND NEW DELHI'S CHOICES

The clock is ticking. In about three months, India will assume for the first time the Group of 20 (G20) year-long presidency from December 1, 2022 to November 30, 2023, culminating with the G20 Summit in India in 2023. The subsequent months will witness India hosting over 200 meetings with hundreds of ministers, officials, diplomats, businessmen, non-governmental organisations, working groups, and engagement groups of the G20 composed of 19 powerful economies and the European Union (EU).

India has hosted large international conferences such as the Non-Aligned Movement (NAM) summit in 1983 and the Third India-Africa Forum summit in 2015. But nothing compares with hosting the G20. It is the world's informal steering directorate on global economic issues; it entails the responsibility of shaping decision-making on key challenges facing the world today; and its summit is preceded by a large quantum of preparatory deliberations that feed into the final outcome.

Importance, complexities

It is essential to neither overstate nor underestimate the significance of the G20's work. The G20 membership represents nearly 90% of the world's GDP, 80% of global trade, and 67% of the planet's population. It is an advisory body, not a treaty-based forum and, therefore, its decisions are recommendations to its own members. The weight of this powerful membership carries enormous political and economic influence. The representation of the United Nations, the World Bank, the International Monetary Fund, the World Trade Organization, the World Health Organization, and other multilateral institutions in it makes the G20 an incomparable body.

The G20 has played a vital role in addressing financial and economic challenges such as the global financial crisis of 2008-09 and the Eurozone crisis of 2010. The forum was elevated from the finance ministers to the heads of government/state in 2008. This was the era of the G8 (up to 2014 when Russia was suspended), of the major powers — the United States, the EU, Russia, and also China, but they needed to work together with the emerging economies in defining global challenges and crafting their solutions. However, in this second decade of the G20, the forum is faced with an existential crisis, where the major powers have fallen out. It makes the task of the presidency country much more complicated, as the current president (Indonesia) is discovering.

The disastrous impact of the novel coronavirus pandemic, the war in Ukraine, India-China border tensions, EU/U.S.-Russia hostility, and deteriorating U.S.-China relations are already visible in the run-up to the 2022 Bali summit (in November) where all G20 leaders may not be sitting physically in the same room. The outcome in Bali will affect the Delhi summit. Indian officials are thus carefully planning their strategy as the burden and the prestige of the presidency are bestowed on India. They know well that the currents of geopolitics are redefining the contours of geoeconomics today. Their mission will be not only to save the G20 but also the future of multilateral cooperation in diverse domains of the grouping's multi-dimensional agenda.

India's choices

Guided by the triple motivation of promoting India's national interest, leaving its mark on the G20, and maintaining its primacy as an effective instrument of global governance, there are four different ideas have emerged in New Delhi.



First, the G20 presidency offers a unique branding opportunity for India's recent achievements, including the ability to combat COVID-19 effectively at home and abroad through vaccine aid and diplomacy. Other major achievements are India's digital revolution, its steady progress in switching to renewables, meeting its targets to counter climate change, and its push for self-reliance in manufacturing and reshaping global value chains. New trends in entrepreneurship, business innovation, the rise of many start-ups as unicorns, and gender progress too need to be showcased. A single-year presidency does not empower the host to change the world, but India can provide evidence of its domestic successes, tested at the continental scale, for global adoption. It can also be utilised to transform India's sub-optimal physical infrastructure to create an attractive investment and tourism destination, especially as several important G20 meetings will be hosted outside Delhi.

Second, by a remarkable coincidence, four democracies on the path to becoming powerful economic players — Indonesia, India, Brazil, and South Africa — hold the presidency from December 2021 to November 2025. This offers a rare opportunity for synergy and solidarity to advance the interests of the developing world and to assert their combined leadership of the Global South.

Third, another exceptional coincidence is that all three members of IBSA — India, Brazil, and South Africa — will hold the G20 presidency consecutively in 2023, 2024, and 2025. This forum, insulated from the geopolitical pressures constraining the BRICS (where these three countries are required to work with Russia and China), can develop a cohesive plan to project the priority concerns of the Global South. IBSA needs an urgent rejuvenation by convening an informal meeting of its top leaders, perhaps on the sidelines of the Bali summit.

Four, India needs to get ready to emerge as the chief global diplomat. As the G20 president, India will be obliged to take a broader view of the G20 agenda to synthesise divergent interests of all constituents of the forum: five permanent members of the UN Security Council, the developed world united under the flag of the G7, five members of BRICS, and other G20 members such as Argentina and Mexico. More importantly, as the president and host, India should factor in the perspectives of countries not represented in the G20. India will advocate an inclusive approach, with pragmatic and human-centric solutions to global issues. An important aim should be to end Africa's marginalisation by elevating the African Union (AU) from permanent observer to a full-fledged member of the G20, thus placing it on a par with the EU.

A parting thought

These four choices are not mutually exclusive. It is possible to weld them together to create a holistic and comprehensive approach for the Indian presidency of the G20. The challenge is to combine an India-focused view, promote the vital interests of the Global South, and demonstrate diplomatic acumen to communicate with and reconcile the viewpoints of rival and adversarial power centres such as the West, Russia, and China. India today is in the enviable position to deliver this unique package. It must rise to the occasion.

WHAT IS INDIA'S POLICY ON THE ROHINGYA?

The story so far: On August 17, Union Housing Minister Hardeep Singh Puri tweeted that Rohingya refugees would be shifted to flats meant for economically weaker sections (EWS), and provided with basic amenities and police protection. The Minister said "India respects & follows the UN



Refugee Convention 1951 & provides refuge to all, regardless of their race, religion or creed.” The Ministry of Home Affairs (MHA) under Amit Shah issued a clarification saying that no such direction had been given to provide EWS flats to “Rohingya illegal foreigners”.

Where do the Rohingya live in Delhi?

The Rohingya live in hutments in the densely populated Kalindi Kunj and Madanpur Khadar areas in Delhi which are contiguous with Uttar Pradesh. Officially, about 1,200 Rohingya have been identified as among the first batch to have arrived in Delhi in 2012. After they protested outside the UNHCR (UN Refugee Agency) office in Delhi, they were provided with refugee cards.

What happened in June last year?

On June 13, 2021 a fire ravaged one of the Rohingya camps at Kanchan Kunj near Kalindi Kunj metro station in south Delhi. The land belonged to the irrigation department of the Uttar Pradesh government. A day before the fire broke out in the hutment, the Rohingya had been served notice by the U.P. irrigation department to vacate the premises. After the incident, the Sub Divisional Magistrate, Sarita Vihar, and Delhi Police made arrangements to move the displaced Rohingya to an empty plot nearby that belonged to the Zakat Foundation of India, an NGO. The Delhi government pitched tents and provided water and electricity. A mobile toilet was also set up. As the Delhi government was incurring an expenditure of ₹7 lakh per month, it was decided at a meeting held by the Delhi chief secretary on July 29 this year, to shift all Rohingya families to EWS flats which were to be designated as a detention centre and would be put under constant police watch. Residents at the camps said that currently the police do a daily roll call but they are free to move anywhere. A police post has been set up near their camp.

How is the Delhi government involved?

The Foreigners Regional Registration Office (FRRO), responsible for tracking foreigners and their visas, has been requesting space at a new location for the Rohingya from the Delhi government since 2021. The FRRO is under the administrative control of the MHA. On March 19, 2021, FRRO, Delhi, wrote a letter to the Delhi government’s home department seeking another location to house the Rohingya. The home department sent a letter to another civic authority, the New Delhi Municipal Council (NDMC), on June 23 the same year that the FRRO is constrained to restrict the movement of illegal foreigners and immigrants due to acute paucity of space. The department requested the NDMC chairman to allot a Baraat Ghar along with EWS flats at Bakkarwala village to accommodate the foreign inmates with “basic minimum housing facilities.” Earlier, in February 2021, a joint team of the social welfare department and home department of the Delhi government had zeroed in on the EWS flats to designate it as a restriction centre. On July 29, 2022 Delhi chief secretary Naresh Kumar held a meeting to find a “medium to long-term” residential solution for Rohingya refugee families. The minutes say that the Lieutenant Governor of Delhi was apprised of the plan. Since Delhi is a Union Territory, law and order is under the Central government, in this case, the MHA. The AAP has claimed that the elected Ministers of Delhi government were kept out of the loop.

When did the Rohingya come to Delhi?

Rohingya, an ethnic group, mostly Muslim, hail from the Rakhine province of west Myanmar, and speak a Bengali dialect. Myanmar has classified them as “resident foreigners” or “associate citizens,” They were forced to leave Myanmar in large numbers after several waves of violence,



which first began in 2012. The Myanmar army revived the attacks in 2017 and lakhs took shelter in Bangladesh. Around five lakh Rohingya fled to Saudi Arabia in 2012. According to the July 29 minutes of the meeting, the Rohingya first came to Delhi in 2012.

What is the process of deportation?

According to the MHA, illegal immigrants are detected, detained and deported under provisions of the Passport Act, 1920 or the Foreigners Act, 1946. The powers to identify and deport them have also been delegated to State governments and Union Territories. Once a 'foreigner' has been apprehended by the police for staying illegally, without any document, he or she is produced before the local court. If the accused is found guilty, they can be imprisoned for three months to eight years. After completing their sentence, the court orders deportation. The foreign inmates are moved to detention centres till the country of origin verifies and accepts them.

Though there are no separate rules for deportation of the Rohingya, on August 8, 2017, amid fears of fresh exodus of Rohingya from Myanmar, the MHA wrote to all the States that "infiltration from Rakhine State of Myanmar into Indian territory specially in the recent years, besides being [a] burden on the limited resources of the country also aggravates the security challenges posed to the country." It also said the rise in terrorism in the last few decades is a cause for concern in most nations and that illegal migrants are more vulnerable to getting recruited by terrorist organisations.

Have any Rohingya been deported?

In 2018, seven Rohingya were deported to Myanmar. It was the first time that Myanmar issued a certificate of identity to the seven Rohingya. They had been picked up in Assam in 2012. After they were moved to a detention centre from prison, they wrote to the Myanmar Embassy in 2016, expressing their desire to return to their country and gave an undertaking that they were returning out of their free will. According to advocacy group Human Rights Watch (HRW), since October 2018, India has deported 12 Rohingya to Myanmar, "claiming that they left voluntarily." "However, the government denied repeated requests by UNHCR to gain access to them to independently assess whether the decision was voluntary," HRW said.

In December 2017, the then Minister of State for Home Kiren Rijju informed Parliament that there are around 40,000 Rohingya in India, of which around 5,700 are in Jammu and also in Telangana, Punjab, Haryana, Uttar Pradesh, Delhi and Rajasthan. Of these, only 16,000 are said to be registered with the UN refugee agency. The MHA claimed that the exact number is not known as many of them enter the country clandestinely. In 2017, the Border Security Force apprehended 87 Rohingya along the Bangladesh border and 76 were pushed back to Bangladesh.

What is India's stand on refugees?

India is not a signatory to the 1951 UN Convention relating to the Status of Refugees and the 1967 Protocol. All foreign undocumented nationals are governed as per the provisions of The Foreigners Act, 1946, The Registration of Foreigners Act, 1939, The Passport (Entry into India) Act, 1920 and The Citizenship Act, 1955.

The MHA informed Parliament on April 5 that "foreign nationals who enter into the country without valid travel documents are treated as illegal immigrants." In 2016, Mr. Rijju told the Lok Sabha that "there is no national law on refugees at present. Only Standard Operating Procedures are issued by the MHA to deal with foreign nationals in India, who claim to be refugees."



In some instances, such as in the case of Pakistani Hindus who live in camps in Delhi, Rajasthan, Gujarat, Chhattisgarh, Punjab, and Tibetans and Tamils from Sri Lanka, relief assistance is provided by the Centre that includes monthly cash dole, subsidised ration, clothing materials, utensils, cremation and shradh (last rites) grants and infrastructure facilities in camps. As on December 31, 2014, the number of stateless persons in India was 2,89,394 which included over 10,000 Bangladeshis and 10,000 Sri Lankans.

WHY NEPAL HAS PUT ON HOLD GORKHAS RECRUITMENT UNDER INDIA'S AGNIPATH SCHEME

Nepal has postponed the recruitment rallies which were to be held in that country to recruit Gorkha soldiers for the Indian Army under the Agnipath scheme. We explain the reservations that the Nepalese government has about the new scheme of recruitment, and the current socio-economic impact of the historic military ties between the two countries.

Why has Nepal postponed Agnipath recruitment rallies?

The decision to postpone these rallies has been taken by the Nepalese government as it is of the opinion that this new form of entry into the Indian military is not covered under the Tripartite Agreement signed between Nepal, Indian and UK governments in 1947, soon after Indian independence. According to reports from Nepal, the government feels that the Agnipath scheme must be approved by it and for that political consultations with all parties in Nepal must take place. Till the time these consultations are held and their result is known, the Nepalese government has requested that the Indian Army should not conduct recruitment rallies in Nepal which were scheduled to begin on August 25.

What was the Tripartite Agreement between India, Nepal and UK?

Soon after Indian Independence on August 15, 1947, an agreement was reached by the governments of India, Nepal and the UK regarding the future of the Gorkha soldiers who were serving in the Indian Army. As per the terms of this agreement four regiments of Gorkha soldiers – 2nd, 6th, 7th and 10th – were transferred to the British Army while the rest – 1st, 3rd, 4th, 5th, 8th and 9th – remained with the Indian Army. A new Gorkha Regiment, the 11th Gorkha Rifles, was raised by India soon after Independence. The agreement also provides for the terms and conditions of the Nepal-domiciled Gorkha soldiers in the Indian Army and for their post-retirement benefits and pensions.

An interesting historical aspect of Gorkha troops is that Pakistan, at the time of Independence, and China, soon after the 1962 war, had also requested Nepal for Gorkha soldiers in their respective armies, a request which was turned down by the Nepal government.

The largest body of Gorkha troops serves in the Indian Army while in the UK their presence has been reduced from four regiments to just two – 1 Royal Gurkha Rifles and 2 Royal Gurkha Rifles (British Army uses the term 'Gurkha' while the Indian Army uses 'Gorkha').

Can Nepalese Gorkhas in foreign Armies be called mercenaries?

Mercenaries are understood as fighters who take part in a conflict for financial gain and usually are not parties to that conflict. As per the definition of the 1949 Geneva Convention, which gives the officially agreed definition of a mercenary, soldiers serving in sovereign armies are not



considered mercenaries, and Gorkha soldiers cannot be called mercenaries. In addition, Gorkha soldiers from Nepal serve side-by-side with Gorkha soldiers who are born and brought up in India.

Have any changes been made in Gorkha unit recruitments over the years?

There have been attempts to reduce the dependence on Nepal for the Gorkha soldiers in the Indian Army, and to this effect, the composition has increasingly been attempted to be balanced between Indian and Nepal-domiciled troops. Also, a pure Indian Gorkha battalion was raised in 2016.

This unit, 6th Battalion of the 1st Gorkha Rifles (6/1 GR), was raised in Subathu, in Himachal Pradesh. Otherwise, the ratio of Nepalese-domiciled soldiers and Indian-domiciled soldiers in a Gorkha battalion ranges from 60:40 to 70:30, though this will change further in future. A change was made in the recruitment rules for Gorkha Rifles recently when the Army decided that soldiers hailing from the Kumaon and Garhwal regions of Uttarakhand will also be eligible for serving in Gorkha Rifles.

What is the socio-economic impact on Nepal of Gorkha soldiers serving in the Indian Army?

A major economic and social impact is felt in Nepal due to the Nepal-domiciled Gorkha soldiers serving in the Indian Army and much of it has to do with the remittances that they send home. A research paper titled 'The Gurkha Recruitment, Remittances and Development' written by Dr Ratna Mani Nepal, Lecturer at Central Department of Rural Development Studies, Tribhuvan University, Kathmandu states that Nepal receives a sustainable source of remittances from Gorkhas working in foreign armies.

The research paper notes that these remittances have "significantly contributed to social modernization in the isolated villages, while the financial remittances spurred entrepreneurship development thereby contributing to regional development". Another aspect is the presence of ex-servicemen of the Indian Army in Nepal. Senior retired Gorkha Rifles Generals have pointed out that retired personnel form an important link of goodwill between India and Nepal, especially in the far-flung areas in which they live.

BENAMI LAW CAN'T BE APPLIED RETROSPECTIVELY: SC

The Supreme Court on Tuesday declared as "unconstitutional and manifestly arbitrary" the amendments introduced to the Benami law in 2016, which apply retrospectively and can send a person to prison for three years even as it empowers the Centre to confiscate "any property" subject to a benami transaction.

In a decision much awaited by businesses, a three-judge Bench, led by Chief Justice of India N.V. Ramana, declared as unconstitutional Sections 3(2) and 5 introduced through the Benami Transactions (Prohibition) Amendment Act, 2016. The 2016 law amended the original Benami Act of 1988, expanding it to 72 Sections from a mere nine.

Section 3(2) mandates three years of imprisonment for those who had entered into benami transactions between September 5, 1988 and October 25, 2016. That is, a person can be sent behind bars for a benami transaction entered into 28 years before the Section even came into existence.

Justice Ramana, who wrote the 96-page judgment, held that the provision violated Article 20(1) of the Constitution.



Article 20(1) mandates that no person should be convicted of an offence, which was not in force “at the time of the commission of the act charged as an offence”. Section 5 of the 2016 Amendment Act said that “any property, which is subject matter of benami transaction, shall be liable to be confiscated by the Central Government”. The court held that this provision cannot be applied retrospectively.

The CJJ dismissed the government’s version that forfeiture, acquisition and confiscation of property under the 2016 Act was not in the nature of prosecution and cannot be restricted under Article 20. The court observed that the 2016 Act condemned not only transactions that were traditionally denominated as benami but also a “new class of fictitious and sham transactions”. The court said the intention of Parliament was to condemn property acquired from ill-gotten wealth. “These proceedings cannot be equated as enforcing civil obligations,” the CJJ noted.

THE SUPREME COURT VERDICT ON PMLA, AND WHY PETITIONERS HAVE SOUGHT A REVIEW

On Thursday, the Supreme Court will hear in open court a review of its judgment upholding key provisions of the Prevention of Money Laundering Act (PMLA), 2002. A three-judge Bench comprising Justices A M Khanwilkar (who has since retired), Dinesh Maheshwari, and C T Ravikumar had ruled on a batch of over 240 petitions challenging the special law against money laundering.

What was the Supreme Court ruling on PMLA?

In *Vijay Madanlal Choudhary & Ors v Union of India*, a judgment delivered on July 27, the Supreme Court upheld the key provisions of the PMLA. In the 540-page ruling, the SC accepted the government’s arguments on virtually every aspect that was challenged by the petitioners: from reversing the presumption of innocence while granting bail to passing the amendments as a Money Bill under the Finance Act to defining the contours of the powers of the Enforcement Directorate (ED).

How is a judgment reviewed?

A ruling by the Supreme Court is final and binding. However, Article 137 of the Constitution grants the SC the power to review its judgments or orders. A review petition must be filed within 30 days of pronouncement of the judgment. Except in cases of death penalty, review petitions are heard through “circulation” by judges in their chambers, and not in an open court. Lawyers make their case through written submissions and not oral arguments. The judges who passed the verdict decide on the review petition as well.

The SC rarely entertains reviews of its rulings. A review is allowed on narrow grounds to correct grave errors that have resulted in a miscarriage of justice. “A mistake apparent on the face of record” is one of the grounds on which a case for review is made. This mistake, the court has said, must be glaring and obvious — such as relying on case law that is invalid.

Why is the PMLA verdict under review?

Congress MP Karti Chidambaram, one of the petitioners who challenged the PMLA, sought a review of the verdict. The key grounds on which review is sought are:



* Amendments introduced as Money Bills: In 2015, 2016, 2018, and 2019, amendments including on bail and classification of predicate offences were made to the PMLA through the Finance Act. The petitioners argued that the PMLA amendments do not qualify as a Money Bill as defined under Article 110 of the Constitution.

While the Court agreed that this could be a valid contention, it did not decide on the issue since the question of what qualifies as a Money Bill has been referred to a larger seven-judge Bench in another case. The seven-judge Bench — which is yet to be constituted — is supposed to decide the contours of a Money Bill, and whether amendments to service conditions of Tribunal members and passing of the Aadhaar Act could have been made through the Money Bill route.

The review petition argues that the court could not have upheld the PMLA Act without deciding this crucial question or deferring the challenge till the larger Bench settles the debate.

* Interpretation of Section 3 of the PMLA: Section 3 of the law defines the offence of money laundering in terms of who is punishable. It states: “Whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the proceeds of crime and projecting it as untainted property shall be guilty of offence of money-laundering.”

The SC in its verdict, accepted the government’s submission that a drafting error had crept in, and said that the expression “and” should be read as “or” in Section 3. This reading would mean that projecting the property as untainted property would not be an added condition to concealment, possession, acquisition and use of such property. If the expression “and” is to be read as “or”, then projecting the property as an untainted property could be a separate criterion.

The petitioners seeking a review argue that this interpretation would expand the scope of the provision.

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RAINBOW OF HOPE

Struggling with gender identity, and fighting against stigma, prejudice and discrimination, the LGBTQIA+ community, in Tamil Nadu at least, will not be derided by slurs or mocking half-names anymore. The T.N. government, on the orders of the Madras High Court, has come out with a glossary of terms to address people who are lesbian, gay, bisexual, transgender, queer, intersex, asexual or of any other orientation. The Department of Social Welfare and Women Empowerment notified the terms — paal pudhumaiyar for queer; maruviya paalinam for a transgender; idaippaal for intersex; paalina adaiyaalanganaludan oththupogaathavar for a gender non-conforming person and so forth. Not everyone is happy; some groups feel the word for transgender should be the one in use, thirunar; others hope the nomenclature will not rid those who fall outside the generalisation of the benefits. For this diverse community, the road from isolation to belonging has been fraught with bias and violence, it was a wrong Justice N. Anand Venkatesh of the Madras High Court sought to amend in his June 7, 2021 verdict. While hearing, in April, the ordeal of a same-sex couple who sought police protection from combative parents, Justice Venkatesh



admitted that he had to shed his own misconceptions before ruling on the case. The High Court came out with a slew of guidelines for the police, and social welfare ministries, both State and Centre, to ensure the safety of the community.

In February, the High Court pulled up the Union Ministry of Social Justice and Empowerment for dragging its feet on listing names of NGOs working for the community. In a June 2021 order, the High Court had acknowledged that social sanction is of paramount importance to lead a life of choice. In 2018, a Bench of the Supreme Court had overturned a 2013 ruling and decriminalised homosexuality. But the landmark judgment was only a first step. An individual wanting to live with dignity, no matter how she wants to be identified, still has many mountains to climb before enjoying liberty, autonomy and privacy guaranteed by Article 21. The state and society often mobilise traditional values to combat all sorts of phobias, and the movement for equal rights in T.N. should ensure children are not forced to go in for conversion therapy or thrown out of their homes for being different. Rights activists hope the glossary is fluid because the conversation around gender and sexuality is evolving. By creating inclusiveness in language for a marginalised community, the State has worked on the principle of *suyamariyadhai* or self-respect, the cornerstone of the Dravidian movement. Tamil Nadu has shown the way, but there is a long way to go before people forced to be in the shadows see a rainbow of hope in all spheres of life.

MURDER IN THE SEWER

All human lives are precious, but, in practice, some are seen as less precious than others. Despite the efforts of courts and governments, law and enforcement have been unable to keep a certain category of workers out of harm's way: those who are engaged in sewage cleaning. While the job itself is dangerous, as several other human pursuits are, sewage cleaning involves working with human excreta, and cannot be seen without invoking the concept of dignity of labour. To allot the task of removing excreta and cleaning sewers to humans when machines are able to do the work is a gross violation of rights. It is in this context that Tamil Nadu's recent move to notify the rules of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, though belated, must be seen. While manual 'scavenging' is completely prohibited, the rules allow manual cleaning, in specific conditions where mechanical equipment cannot be deployed to fix the problem, or when it is absolutely necessary to have human intervention, after stating the valid reasons for allowing such a process to take place. But, more importantly, it specifies a long list of protective devices and gear that any person engaged to clean a sewer or a septic tank must be provided, including air line breathing apparatus, air line respirator, air purifier gas mask, a device for artificial respiration, mask and breathing apparatus. Besides this, chlorine masks, emergency medical oxygen resuscitator kit, gas monitor for gases, hydraulic devices, and first aid will have to be provided by the employer. The list is not limited to those devices mentioned. Regular maintenance of the equipment and devices has also been mandated by the rules. Naturally, all workers must be fitted out in the safety gear before they enter the sewer line.

The practice of manual cleaning of septic tanks and sewers has been, and will always be, as long as it exists, a serious concern in any country sworn to humane treatment of all citizens. While quibbling has dominated discussions about the actual number of deaths due to manual scavenging, government-acknowledged deaths from manual cleaning of sewers and septic tanks are shocking enough. A total of 971 people lost their lives while cleaning sewers or septic tanks since 1993, the year the law prohibiting employment of manual scavengers was enacted, according to the Social Justice and Empowerment Ministry. Tamil Nadu is among the top States in the list. Since the causes of deaths while cleaning sewers and septic tanks are predictable —



noxious gases — not taking measures to prevent those deaths would be criminal. Proper implementation of the rules, and adequate monitoring are absolutely essential. Simultaneously, all efforts must be taken, within existing schemes, to provide compensation to the family members of those who have died, and to provide them a way out of the profession, if they so wish.

MODEL NIKAHNAMA REMAINS A WORK IN PROGRESS

Five years after the All India Muslim Personal Law Board pledged to insert a prohibition on instant triple talaq in the model nikahnama to be used for solemnising Muslim marriages, the wedding contract remains a work under process. There is no clear word when, if at all, such a nikahnama would be readied and sent across to qazis who solemnise nikahnama.

An AIMPLB meeting earlier this month failed to reach a consensus on the content of the new model nikahnama.

Though there was large agreement on the need to insert a clause against instant triple talaq after the Supreme Court made it invalid and the Muslim Women (Protection of Rights on Marriage) Act made it a criminal act, the members suggested that a clause on Talaq-e-Tafweez or delegated divorce needed to be inserted.

Under Talaq-e-Tafweez, the husband vests his power to divorce in his wife, thereby effectively ruling out hasty or instant talaq. However, many intellectuals of the Hanafi sect did not agree to it, leading to a fresh failure to draft the new nikahnama.

No consensus yet

Some members felt khula, women's inalienable right to instant divorce, was a viable alternative for women, thereby doing away with the need for the clause on Talaq-e-Tafweez. Others though insisted that the husband's consent is necessary for khula.

The ideological logjam has been going on since 2017, when faced with the heat on the issue of instant triple talaq, the AIMPLB had pledged to formulate a nikahnama prohibiting Talaq-e-Biddat. Since then, multiple parleys have failed to bring about a consensus on the new nikahnama whose first model was formulated in 2003.

A token contract

The nikahnama is essentially a contract between the spouses, containing terms and conditions of marriage.

Besides incorporating basic details of temporary and permanent residence, their respective age and the names of their parents, the nikahnama carries details of mehr (loosely translates to dower), which the husband has to pay his wife.

It can be paid immediately at the time of nikahnama or later, in which case deferred payment is clearly mentioned in the contract.

The nikahnama carries the signature of a wakeel (advocate) and two eyewitnesses, besides those of the bride and groom. The bride's consent is sought by the qazi in private without the presence of her parents to avoid family pressure on her to agree to the marriage.



In Mughal age, the nikahnama used to be an elaborate affair where girls often made it mandatory that in case things didn't work out, the nikah will not end through pronouncement of instant triple talaq.

There were conditions incorporated against polygamy, or permission granted with certain conditions, such as separate dwelling for the other wife.

The modern nikahnama used in Muslim marriages is often a token affair with no mention of the rights of the spouses.

In light of this, the AIMPLB had sought to issue an advisory that marriage should not end without making an attempt at reconciliation. And if talaq must be resorted to, it must be through the Koranic way.

However, what the model nikahnama fails to contain is an express prohibition on instant talaq even after half a decade of the Supreme Court's judgment invalidating triple talaq in 2017.

KASHMIR VOTERS' LIST

The story so far: On August 17, the J&K Chief Electoral Officer (CEO), Hirdesh Kumar, announced that anyone "who is living ordinarily in J&K" can avail the opportunity to get enlisted as a voter in the Union Territory in accordance with the provisions of the Representation of the People Act. He said that many people who were not enlisted as voters in the erstwhile State of J&K are now eligible to vote after the reading down of Article 370 on August 5, 2019. The Election Commission of India (ECI) was expecting an addition of 20-25 lakh new voters in the final list in J&K, he added.

Who else is eligible to vote?

Mr. Kumar suggested that armed forces posted in J&K could also register as voters and could possibly participate in the first ever Assembly polls in the youngest Union Territory (UT) of the country. The CEO said the existing electoral roll is being mapped into the newly delimited Assembly constituencies as per the Delimitation Commission's final order made applicable by the Union Law Ministry with effect from May 20, 2022.

Why are electoral rolls being revised?

The ECI is working on fresh electoral rolls in J&K after the J&K Delimitation Commission earlier this year carved out seven new Assembly constituencies in the UT, six going to Jammu division and one to Kashmir, under the Jammu & Kashmir Reorganisation Act adopted in 2019. Jammu now has 43 seats against 47 in Kashmir. The Delimitation Commission has re-drawn many constituencies and fresh electoral rolls are essential to prepare the ground for any announcement of elections in J&K, where the last Assembly elections took place in 2014. In a latest move, the ECI has decided that it will also include any person who has attained the age of 18 years on or before October 1, 2022 in the fresh electoral rolls. The final electoral roll would be published on November 25.

What did the CEO announce?

Mr. Kumar said there is no need for a person to have a domicile certificate of J&K to become a voter. "An employee, a student, a labourer or anyone from outside who is living ordinarily in J&K can enlist his or her name in the voting list," Mr. Kumar said. He said armed forces from different



parts of the country “have the option that if they are posted in a peace station they can enlist themselves as voters.” Mr. Kumar said “Jammu is a peace station and anyone from outside posted in the armed forces in the city can avail the option to enlist as a voter.” He observed that around 25 lakh new voters are expected to be enrolled in J&K, which has 76 lakh voters on the list. He said the projected 18-plus population of J&K was around 98 lakh. After the abrogation of special provisions of Article 370, the Representation of the People Act 1950 and 1951 is applicable in J&K, officials said, which allows ordinarily residing persons to get registered in the electoral rolls of J&K, “provided he or she gets their name deleted from the electoral roll of his or her native constituency.”

How were the J&K electoral rolls revised prior to 2019?

Prior to August 5, 2019 when J&K had special constitutional powers, the Assembly electoral rolls in the State were drawn up according to the Jammu & Kashmir Representation of the People Act 1957, wherein only permanent residents of J&K were eligible to get registered in the Assembly rolls. To get voting rights, Permanent Resident Certificate and domicile certificates had to be shown. Several lakh residents from west Pakistan and Pakistan Occupied Kashmir, who had migrated to J&K and were living there for decades, had no voting rights in Assembly elections till August 5, 2019 but were able to vote in the parliamentary elections.

Why has the ECI announcement caused a furore?

All political parties in J&K, except the BJP, have reacted sharply to the ECI announcement. J&K's main regional parties, including the National Conference, Peoples Democratic Party, CPI(M) and Peoples Conference, have expressed concerns that the move will open the floodgates and turn locals into an electoral minority. Former Chief Minister and PDP president Mehbooba Mufti expressed concern that there was a plan to bring 25 lakh non-locals and make them eligible to cast their votes in the next J&K elections. “This is the last nail in the coffin of electoral democracy,” Ms. Mufti said. Peoples Conference chairman Sajad Lone compared the move with the 1987 rigged elections in J&K, which resulted in mass militancy in Kashmir in the 1990s. “Please remember 1987. We are yet to come out of that. Don't re-play 1987. It will be disastrous,” Mr. Lone warned.

KEEP IT SIMPLE

One of the clear successes of Indian democracy has been the regular conduct of elections and the relatively high participation of electors in the voting process compared to other countries. Besides the fact that the process is relatively simple with the use of the electronic voting machine, high voter turnout has also been possible due to registration drives by the Election Commission of India (ECI). Periodically, the ECI does face the issue of a cleaning up of electoral rolls due to increases in migrant populations in urban sprawls, demographic changes due to the entry of more eligible voters, besides deaths of older people. But repeated cycles of elections have allowed for a cohesion in this process with voters allowed to register based on proofs of their age and current place of residence. With the increase in the school-educated population, and most Indian citizens living in houses whose addresses are to be mentioned in several identity documents, registering to vote is a relatively easy process. This begs the question as to why election authorities are coercing citizens to mandatorily link registration in voter rolls with their Aadhaar number, as recent reports have indicated. In December 2021, the Lok Sabha passed the Election Laws (Amendment) Bill seeking to link the voter identity card with the Aadhaar number in order to avoid errors such



as voter duplication on the electoral roll. But the Government and later, ECI authorities, have insisted that this process would be voluntary.

The Aadhaar number is not a proof of citizenship and is meant to be issued to residents, while only adult citizens who are resident in India are eligible to vote. Instrumentally speaking, matching the Aadhaar number to the electoral roll in order to perform verifications is not a foolproof process. The Internet Freedom Foundation has cited data to show that self-reported errors in the Aadhaar database are higher than those in the electoral database. There is also evidence that Aadhaar-linkage with voter identity cards, as in the Assembly elections in Telangana and Andhra Pradesh recently, for example, led to the arbitrary deletion of eligible voters on a large scale. Besides, with the Aadhaar number now being used to access a variety of services, linking to voter IDs, when aggregated from booth level data, can possibly lead to misuse by agencies that can access them to profile voters based on harvested information. The absence of a data protection law heightens the risk of this possibility as well. Scholars studying elections in various countries have averred that simplicity of design and effectiveness of constitutional institutions such as the ECI have gone a long way in easing voting and setting India apart as an electoral democracy. The insistence on linking Aadhaar with the voter ID militates against these principles. The ECI should limit itself to utilising existing proofs for voter authentication and Aadhaar declaration should remain voluntary.

REMARKS ON PROPHET: BJP SUSPENDS MLA

The BJP's Central Disciplinary Committee issued a show-cause notice asking him to respond within 10 days why he should not be expelled from the party. Committee member secretary Om Pathak said in the notice: "You have expressed views contrary to the party's position on various matters, which is in clear violation of Rule XXV. 10 (a) of constitution of the party."

Mr. Raja Singh was arrested on Tuesday for allegedly making statements intending to outrage religious feelings. However, when he was produced before the court, it turned down the remand application of the police for not following proper procedure in the MLA's arrest and ordered his immediate release.

Faruqui's show

Mr. Raja Singh was protesting against the Telangana Rashtra Samithi government allowing stand-up comic Munawar Faruqui to perform at a show in Hyderabad. The leader, prior to the show on Saturday, had cautioned the organisers, the police and the government, that there would be a severe backlash if the show was allowed.

"How will you allow a person who insulted Hindu gods and goddesses to perform here? We will burn down the venue. If you still go ahead, you will see the reaction on August 22," he had said.

Heavy security arrangements were made at the venue on the day of the show and a few BJP activists were detained to ensure that the event ended peacefully.

Taking on Mr. Faruqui, Mr. Raja Singh uploaded a video on Monday via 'Shree Ram Channel Telangana' on YouTube "as a reaction to allowing the show",

The video, which instantly went viral, stirred up passions and within hours thousands of angered Muslims assembled outside several police stations, the Police Commissioner's Office and staged



protests demanding immediate arrest of Mr. Raja Singh. Complaints were filed at various police stations in Hyderabad.

Mr. Raja Singh, who learnt about the cases being filed against him and the police preparing for his arrest, released a video and said he did not say anything wrong. “Did I name any god in the video, or did I even refer to them in any code, like Faruqui vulgarly ridiculed Lord Sri Ram and Seethamma? My counter in that video was in the same language as Faruqui’s,” Mr. Raja Singh said in another video.

ARIF MOHAMMED KHAN’S OUTBURST AGAINST IRFAN HABIB LOWERS DIGNITY OF HIS OFFICE, DENTS HIS OWN RECORD AND REPUTATION

On Tuesday, two days after he described Kannur University Vice-Chancellor and historian Gopinath Ravindran as a “criminal”, Kerala Governor Arif Mohammed Khan lashed out at the doyen of the Aligarh School of History, Irfan Habib. He called the nonagenarian scholar of medieval India a “goonda”. The immediate provocation for the inelegant outburst seemed to be his disagreements with the VC over university appointments, but Khan was also raking up a three-year-old issue — he was allegedly heckled while inaugurating the Indian History Congress in 2019, in which both academics were present. As Chancellor of Kerala’s universities, the governor has had several run-ins with the state’s LDF government over university governance. The primacy of due process in the management of institutes is incontrovertible. But the Kerala governor should ask himself: Does his intemperate language behove his high office? By insulting two distinguished academics, Khan has made the Kerala Raj Bhawan a participant in the coarsening of public discourse.

Of course, Khan is far from being the first incumbent of a Raj Bhawan to court controversy. Over the decades, the constitutional office of governor has been dented and diminished, mostly by the tug and pull of politics. Red lines drawn by the Supreme Court have been repeatedly transgressed and recommendations by panels such as the Sarkaria and Punchhi Commissions seem to have gone abegging as more and more governors have become embroiled in partisan politics. At the same time, however, examples of gubernatorial high-mindedness, propriety and grace are not far to seek. President Droupadi Murmu’s tenure as Jharkhand governor, for instance, was notable for her playing by the book without being discourteous to the JMM-led state government.

Arif Mohammed Khan’s appointment as Kerala governor had led to expectations of decorum and fair play in the Raj Bhawan’s engagements with an Opposition-ruled government. In the 1980s, Khan emerged as a prominent voice of reform and reason. In later years, even though he changed political affiliation — Congress to Janata Dal to BSP, then BJP — Khan’s reputation as a thinking politician remained intact. Unfortunately, however, not only has Khan’s tenure as Kerala governor belied expectations of injecting sobriety into the Raj Bhawan, he has disappointed with his silences as well – on the remission of the sentences of the 11 convicts in the Bilki Bano case, for instance. The Kerala governor today seems a different person from the young politician who courageously spoke up for women’s rights and defied his party line in the Shah Bano case.

SHADOW OVER SOREN

Uncertainty looms large over Hemant Soren’s continuation as Jharkhand Chief Minister as he is likely to be disqualified by the Governor as Member of the Legislative Assembly; the Governor has received the Election Commission of India’s opinion on the question. Technically speaking, Mr.



Soren could remain in the post for up to six months without being an MLA. He could also get elected in the meantime. But that technicality apart, it is a huge loss of face for him and the parties that form the ruling coalition in Jharkhand, i.e., the JMM, the Congress, and the RJD. The case against him has its roots in a mining lease that he gave himself as a Minister for Mines in 2021. The BJP complained to the Governor on February 11, 2022, that this act was in violation of Section 9(A) of the Representation of the People Act, 1951. The Governor referred the complaint to the Election Commission of India (ECI) for its opinion, as required by law, on March 28. On August 25, the ECI wrote to the Governor that Mr. Soren could be disqualified under Section 9(A). The awarding of a mining lease to himself was a brazen act of self-service, misuse of office and breach of people's trust. One cannot also not take note of the innocence of his thought that such a transparent act of corruption would go unnoticed or unpunished — reminiscent of his father Shibu Soren going to a bank and depositing the cash he had received as bribe.

Mr. Soren's agonies may not end with disqualification. Two PILs against him are pending in the Jharkhand High Court which seek a probe into the alleged allotment of mining lease for a stone quarry in a 0.88-acre land parcel in the Angara Block of Ranchi and the alleged laundering of money via some shell companies said to be linked to his family members. On June 3, the High Court accepted the maintainability of the PILs, holding that they did not suffer from any anomaly. In separate pleas, the High Court's decision was challenged by the Chief Minister and the State government in the Supreme Court, which on August 17 reserved its order in the matter and stayed the High Court proceedings. The BJP is waiting in the wings to upend the Jharkhand government, and has tasted blood. The arrest in July of three Jharkhand Congress MLAs in West Bengal with huge amounts of money they had allegedly received to defect was a smoking gun. Cornered by proceedings of disqualification as an MLA and potentially facing a corruption investigation, Mr. Soren will have diminished authority over the MLAs of the alliance. The honourable thing for him to do in this instance of disqualification would be to resign as Chief Minister. His absence from the central seat of power in the State will be a test for the alliance and its government.

A DRACONIAN LAW THAT NEEDS TO DISAPPEAR

The statement made by the Prime Minister, Narendra Modi, in April this year, to the people of the North-east to the effect that the Government intends withdrawing the much-dreaded Forces (Special Powers) Act 1958, or AFSPA, completely from the region — this follows its partial withdrawal from parts of Assam, Nagaland, Arunachal Pradesh and Manipur in March this year — could spell tidings for the denizens of these States. The Prime Minister was addressing a 'Peace, Unity and Development' rally in Diphu in Assam's Karbi Anglong district. In the north-east, Nagaland has largely borne the brunt of this draconian law after it was imposed in the late 1950s when insurgency raised its head in the State.

Roots in the Raj

The genesis of the law can be traced to the Armed Forces (Special Powers) Ordinance 1942 which was enacted by the British to subjugate the rebels in the country during the Quit India movement, particularly in Assam and Bengal in October 1942. The law continues to be enforced in its new format as the Armed Forces (Special Powers) Act 1958.

Indubitably, the need for the law was required in the 1950s when Naga insurgents resorted to large-scale violence. Hundreds of Indian Army soldiers, central and State paramilitary personnel



were either killed or injured in ambushes that had been meticulously planned and launched by the insurgents. Informers of the security forces were eliminated or disabled.

Nagaland, other aberrations

While there was some semblance of peace having been restored after the Shillong Peace Accord with the Naga insurgents in 1975, the situation took an ugly turn after the breakaway group led by Isak Chishi Swu and Thuingaleng Muivah formed the Nationalist Socialist Council of Nagalim (Isak-Muivah), better known as the NSCN(I-M), in January 1980, and resorted to large-scale violence across the States of Nagaland and Manipur. Thuingaleng Muivah is a Tangkhul Naga from Ukhrul district of Manipur while Isak Chishi Swu was a Sumi Naga from Zunheboto in Nagaland. Isak Chishi Swu died in June 2016 after the Naga Framework Agreement had been signed between the Government and the NSCN (I-M) in August 2015. It is believed that the agreement was rushed through given Isak Swu's health condition. The agreement has been hanging fire since then as the Government has not agreed to permit a separate flag and constitution for Nagaland which the NSCN (I-M) is determined to have.

A generation has lived with AFSPA in Manipur and Nagaland. Residents in these States have been victims of the aberrations committed by security forces for decades. While AFSPA gives sweeping powers to the security forces to shoot and kill anyone on suspicion and even search or arrest any person without warrant, no prosecution against them is possible for any wrongdoing without the previous sanction of the Central government. While the Armed Forces (Special Powers) Ordinance 1942, authorised "Any officer not below the rank of Captain in (the Indian) Military forces... to use such force as may be necessary, even to the causing death against any person...", AFSPA 1958 empowers even a non-commissioned officer (may be a Lance Naik, a Naik or Havildar) to "fire upon or otherwise use force; even to the causing of death"; no prosecution against them is possible without the consent of the Central Government.

It is the consent from the Central government that is delaying any further action being taken against the commandos of the Army's 21 Para (Special Forces) who killed six locals initially in a case of mistaken identity in Mon district of Nagaland on December 4, 2021. The incident led to a riotous situation in which more persons, including an Assam Rifles jawan, were killed. Unconfirmed reports put the civilian death toll at 17.

Court's stand

Meanwhile, the Supreme Court of India passed an interim order recently "staying further proceedings pursuant to FIR No.27 of 2021/Final Report of the Special Investigation Team [SIT]/Chargesheet," on a petition filed by the wives of the commandos found guilty by the SIT.

Armed with unbridled power, aberrations by security forces operating in the States are bound to take place. When the Extrajudicial Execution Victim Families' Association Manipur (EEVFAM) approached the top court in 2012 to have 1,528 cases of alleged fake encounters investigated through the Central Bureau of Investigation (Extra Judicial Execution Victim Families Association (EEVFAM) vs Union of India & Anr.), it was found that the first six cases investigated were indeed fake encounters. This prompted the Court to conclude that the veracity of the allegations made by the Association was beyond suspicion. Having come under the scanner, the AFSPA drew critical comments from the Supreme Court.



Despised by every citizen of the States where it has been in force, AFSPA was not withdrawn despite their demands. The very basic tenets of democracy which espouse the principles “of the people, by the people and for the people” have stood negated. No section of society would ever allow itself to be subjected to a law that is as draconian as AFSPA, which in effect curbs the liberty and the rights of the people as enshrined in the Constitution — a Constitution that is held sacrosanct by the nation.

Resistance to a rescinding

Efforts made in the past to rescind the law have met with failure. The iron lady of Manipur, Irom Chanu Sharmila, went on a 16-year long hunger strike starting from November 2000. Hailed as a heroine for nearly two decades, she fell from glory when people were disapproving of her breaking the fast. On being asked to comment on the withdrawal of AFSPA in several parts of Manipur, Assam and Nagaland, she was of the opinion that this was a new beginning and a result of decades-long fight.

The Justice B.P. Jeevan Reddy Commission that was tasked with reviewing the provisions of AFSPA submitted its report on June 6, 2005 with the recommendation that AFSPA be withdrawn. Surprisingly, it had suggested making amendments to the Unlawful Activities (Prevention) Act, 1967 (UAPA) to achieve the purpose of AFSPA. The report was subsequently shelved.

Former Union Home Minister P. Chidambaram was of the firm opinion that AFSPA should be withdrawn. But stiff resistance from the Defence Ministry which was headed by A.K. Antony scuttled the proposal. The Indian Army offered stiff opposition to any proposal to do away with the much-detested law.

There needs to be a review

The present dispensation at the Centre has been hailed for its bold decision to rescind the law as the Army would have still offered resistance to its withdrawal. It must be noted that at a function in Guwahati on April 23, Union Defence Minister Rajnath Singh said that all three wings of the defence forces were in favour of the removal of AFSPA from the Northeast and Jammu and Kashmir, but the act remained in place “due to the situation”. In Nagaland, AFSPA has been removed from the jurisdiction of 15 police stations in seven districts, while in Assam, it has been removed completely from 23 districts; one district will be covered partially under the Act. In Manipur, 15 police station areas of six districts will be excluded. However, there needs to be a comprehensive and serious periodical review undertaken by the Centre till the entire North-east is freed from the tentacles of AFSPA.

Investigations into the 1,528 alleged fake encounters also need to be fast tracked and taken to their logical conclusion. If necessary, there needs to be incarceration of the guilty, thereby sending out a clear message that those who murder under the cloak of the uniform of the security forces cannot expect to go scot free if there are violations.

SNAGS THAT HAVE RIDDLED CUET MUST BE QUICKLY CORRECTED. GOVERNMENT MUST PAY ATTENTION TO CONCERNS OVER FORMAT

The Central Universities Entrance Test (CUET) was envisaged as a corrective to a system based on high marks and cut-offs. It promised to end the anxiety that many students graduating from schools to colleges and universities inevitably suffer. However, technical glitches have meant that



instead of serving its stated purpose of simplifying the admission process to undergraduate courses, the new examinations have added to the stress of the youngsters. Server failures, admission cards being issued at the last minute and lack of clarity over examination centres have thrown unflattering light on the lack of preparedness of the National Testing Agency, the authority that conducts the CUET. Cancellations and rescheduling of the tests mean that the CUET will not be over before the last week of this month. Consequently, the admission procedure to the universities will stretch into September. This will, no doubt, have a spiralling effect on undergraduate timetables. The pandemic had upset academic schedules in the past two years. But the NTA must take much of the blame for this year's delay.

With an aspirant being allowed to appear in up to nine papers, resulting in more than 50,000 subject combinations, the CUET — conducted in more than 550 cities in the country and 13 foreign centres — is a much bigger exercise than the entry tests to the IITs or medical institutions. Over 1.4 million students have registered for admissions to undergraduate courses in 44 central universities, 12 state universities, 11 deemed, and 19 private universities. A lot of preparation should have gone into conducting an operation of this scale. For instance, the pivot to online education during the pandemic had shown up the country's digital deficits. The experiences of the past two years had given enough indications of the challenges the country's IT architecture would face in conducting the CUET. It's now apparent that the smooth conduct of the CUET will require an upgrade in the IT systems of at least the network of centres where the examinations are held. No time must be lost in making such improvements.

The CUET for post-graduate courses is scheduled to be held in the second week of September. Several academicians have questioned the MCQ format of these examinations. In an Idea Exchange with this paper, the Vice Chancellor of JNU, Santishree Dhulipudi Pandit, underlined that admission tests to masters-level programmes should assess the critical capacities of an aspirant and requested the government to rethink the format. The education ministry should take note of concerns such as hers. The CUET is a work in progress: The learnings from this year's experiences must not be lost on the NTA and other educational authorities.

SCIENTIFIC PROGRESS

For every Indian woman aspiring for a career in science, the role models were too few and far between — Tessy Thomas, Soumya Swaminathan, Gagandeep Kang, N Kalaiselvi, Annapurni Subramaniam and a handful of others notwithstanding. After all, many of these women are exceptions to the rarefied male bastions of scientific research in India.

This could be changing, going by data released by the Department of Science and Technology (DST) that has confirmed a rise in the participation of women in scientific and technological fields over the last two decades. The percentage of women researchers has increased from 13.9 in 2015 to 18.7 in 2018. While the social sciences and humanities still register a larger presence of women researchers, numbers have increased appreciably in the sciences as well. Health sciences is now pegged at 24.5 per cent, natural sciences and agriculture at 22.5 per cent and engineering and technology at 14.5 per cent. Women occupy key research and leadership positions in institutions such as the Council of Scientific and Industrial Research, Defence Research & Development Organisation and Indian Space Research Organisation, among others. A lot of this has to do with individual enterprise as well as the thrust of successive governments on gender diversity through grants and rewiring of infrastructure for greater inclusivity. In the wake of the pandemic that has hit women professionals harder, the pragmatic focus of the Science, Technology, and Innovation



Policy 2020 is on meeting its target of 30 per cent women at a post-doctoral level by 2030. To this end, DST is set to incorporate GATI, a grading system for institutes based on the enrollment of and impetus to the careers of women in its ranks.

Yet, a lot more remains to be done. According to the 2018 Global Gender Gap report, India is ranked 108 out of 149 countries. The 2019 All India Survey on Higher Education shows a significant lag in female participation at doctoral levels, partly owing to the pressures of marriage and family planning. Those who overcome these are often faced with the loneliness of being an outlier in a male domain, where biases are rampant and getting oneself heard, a constant struggle. As elsewhere, women scientists often have to shoulder a disproportionate burden of academic housekeeping in comparison to their male counterparts. While policies and leadership roles are excellent incentive models, further benefit could come from a system of mentoring and an availability of funds, especially for those who want to get back into the workforce after a hiatus.

THE CASE OF THE MISSING SCIENTIFIC INDIAN

This 75th year of Independence is a major milestone for India; a time to take stock of the developments in various spheres over the last seven decades. Sadly, with some notable exceptions such as this newspaper, the print and electronic media have not really taken stock of what has happened to science education in this country. While politicians, writers, artists, actors and other celebrities have been given their due, science and scientists seem to have been largely ignored. The general apathy towards science, and the lack of scientific temper among the public and politicians, is a poor commentary on the Indian sensibility.

The loss of a scientific temper

Although India has made some significant scientific advances in research fields such as molecular biology, agricultural/pharmaceutical science, and solid-state chemistry, and some creditable leaps in space, nuclear science, and information technology, it has failed to propagate scientific literacy not only among the public, but also among scientists themselves. Parliament underscored our commitment to propagate scientific temper by including it as a duty in Article 51A of the Constitution through the 42nd Amendment. Article 51A says, "It shall be the duty of every citizen of India to develop the scientific temper, humanism and the spirit of inquiry and reform."

But despite these efforts, scientific temper has continued to remain a lofty ideal and has not really percolated into society. This has left much of our national psyche a prisoner of obscurantism and paved the way for retrogressive religion-based politics at the expense of constitutionally guaranteed secular values. A solid foundation for modern science was built by scientists in the 1950s and 1960s, facilitated by the then Prime Minister Jawaharlal Nehru. So, what went wrong?

A part of the problem may lie with scientists themselves and the science academies they belong to. Scientists half-heartedly stood up for scientific causes, even when the situations demanded that they fully do so. The eminent molecular biologist, Pushpa Bhargava, in an article titled 'Scientists without a scientific temper' in The Hindu on January 17, 2015, said, "...The bulk of scientists in the country, including many who were occupying high positions, were themselves not committed to scientific temper which calls for rationality, reason and lack of belief in any dogma, superstition or manifest falsehood."

In 1994, Bhargava resigned from all the three academies — the Indian National Science Academy, the Indian Academy of Sciences, and the National Academy of Sciences — protesting their lack of



commitment to “science-related social problems”. He also wrote in the 2015 article that India had not produced any Nobel Prize winner in science since 1930 “largely because of the lack of a scientific environment in the country, of which scientific temper would be an important component.” Like sport, which requires an athletic culture, science will flourish only if a scientific temper is generated across the country. It is the job of the science academies to chip in and inspire the country to attain greater science literacy among the public. This will perhaps better justify their existence.

Pseudoscience is everywhere

Several years ago, when some Christian revivalist groups in the U.S. were fighting tooth and nail to bring Creationism into the science curriculum as an alternate theory to the scientific theory of origin of human species, the National Academy of Sciences released a statement. It concluded, “No body of beliefs that has its origin in doctrinal material rather than scientific observation, interpretation, and experimentation should be admissible as science in any science course. Incorporating the teaching of such doctrines into a science curriculum compromises the objectives of public education. Science has been greatly successful at explaining natural processes, and this has led not only to increased understanding of the universe but also to major improvements in technology and public health and welfare. The growing role that science plays in modern life requires that science, and not religion, be taught in science classes.”

Pseudoscience is everywhere, whether in denying the science of climate change or the evolution theory that explains the secret of diversity that we see around us. India is no exception in providing a fertile ground for pseudoscience to prevail. Many attempts have been made to include pseudoscience in science curricula here. Last year, a course in astrology was introduced in a national open university. There is official backing of the theory that cow excreta has therapeutic properties despite no scientific validation of this. Official circulars quote ancient texts to support the curative properties of cow urine for ailments. Would our science academies express a critical attitude in such situations? Although we made bold steps in developing an ambience of science, we faltered after the 1960s, primarily because our leadership lacked a sense of destiny. This was compounded by India’s intelligentsia, who were more interested in self-aggrandisement, and by an unimaginative rule-bound bureaucracy.

Onslaught of disinformation

“Science is a way of thinking much more than it is a body of knowledge,” wrote Carl Sagan. Simplifying the intricacies of science in a format that is best understood by the public is an art. But we also have to make our compatriots appreciate the role of science as a reasoning strategy that will help people take evidence-based decisions against the current onslaught of fake news, conspiracy theories and manufactured ‘truths’ — the downside of the information revolution. The irrationality that produces a warped world view is not a new thing, but dissemination of such material is faster and reaches millions of consumers in seconds thanks to Information Technology. We are also seeing how disinformation weakens human rights and many elements of democracy.

We are up against a whole load of cognitive biases that encourage pseudoscience. The scientists who became celebrated communicators in the western world — Carl Sagan, Stephen Hawking, Steven Weinberg, Stephen Jay Gould, Carlo Rovelli, Richard Dawkins, Neil deGrasse Tyson and Jim Al-Khalili — and our own scientists — Yash Pal, Pushpa Bhargava and Jayant Narlikar — have been hammering on one single predominant idea, which is to develop a knack for critical thinking using the time-tested and highly successful methodologies followed in science.



How do we explain this refusal of politicians and administrators to move away from their blind beliefs even while such beliefs are stacked against scientifically proven facts? How do we explain the refusal to see objective reality as well as the tendency to cling to one's own beliefs even after receiving contradictory evidence? The less people know, the more they perceive themselves to be experts these days. This is thanks to a combination of poor self-awareness and low cognitive ability. Conversely, the more people know about something, the more uncertain they become and end up as the biblical 'doubting Thomas'.

This 75th year of Independence should not be merely a flag-waving event, marked by self-congratulatory notes and speeches of achievements or ancient greatness. It should be seen as an opportunity for India to critically assess its successes and failures and prepare for a promising future. Science and scientific literacy have a key role in bringing home that future.

DELHI POLICE'S USE OF FACIAL RECOGNITION TECHNOLOGY

The story so far: Right to Information (RTI) responses received by the Internet Freedom Foundation, a New-Delhi based digital rights organisation, reveal that the Delhi Police treats matches of above 80% similarity generated by its facial recognition technology (FRT) system as positive results.

Why is the Delhi Police using facial recognition technology?

The Delhi Police first obtained FRT for the purpose of tracing and identifying missing children. According to RTI responses received from the Delhi Police, the procurement was authorised as per a 2018 direction of the Delhi High Court in Sadhan Haldar vs NCT of Delhi. However, in 2018 itself, the Delhi Police submitted in the Delhi High Court that the accuracy of the technology procured by them was only 2% and "not good".

Things took a turn after multiple reports came out that the Delhi Police was using FRT to surveil the anti-CAA protests in 2019. In 2020, the Delhi Police stated in an RTI response that, though they obtained FRT as per the Sadhan Haldar direction which related specifically to finding missing children, they were using FRT for police investigations. The widening of the purpose for FRT use clearly demonstrates an instance of 'function creep' wherein a technology or system gradually widens its scope from its original purpose to encompass and fulfil wider functions. As per available information, the Delhi Police has consequently used FRT for investigation purposes and also specifically during the 2020 northeast Delhi riots, the 2021 Red Fort violence, and the 2022 Jahangirpuri riots.

What is facial recognition?

Facial recognition is an algorithm-based technology which creates a digital map of the face by identifying and mapping an individual's facial features, which it then matches against the database to which it has access. It can be used for two purposes: firstly, 1:1 verification of identity wherein the facial map is obtained for the purpose of matching it against the person's photograph on a database to authenticate their identity. For example, 1:1 verification is used to unlock phones. However, increasingly it is being used to provide access to any benefits or government schemes. Secondly, there is the 1:n identification of identity wherein the facial map is obtained from a photograph or video and then matched against the entire database to identify the person in the photograph or video. Law enforcement agencies such as the Delhi Police usually procure FRT for 1:n identification.



For 1:n identification, FRT generates a probability or a match score between the suspect who is to be identified and the available database of identified criminals. A list of possible matches are generated on the basis of their likelihood to be the correct match with corresponding match scores. However, ultimately it is a human analyst who selects the final probable match from the list of matches generated by FRT. According to Internet Freedom Foundation's Project Panoptic, which tracks the spread of FRT in India, there are at least 124 government authorised FRT projects in the country.

Why is the use of FRT harmful?

India has seen the rapid deployment of FRT in recent years, both by the Union and State governments, without putting in place any law to regulate their use. The use of FRT presents two issues: issues related to misidentification due to inaccuracy of the technology and issues related to mass surveillance due to misuse of the technology. Extensive research into the technology has revealed that its accuracy rates fall starkly based on race and gender. This can result in a false positive, where a person is misidentified as someone else, or a false negative where a person is not verified as themselves. Cases of a false positive result can lead to bias against the individual who has been misidentified. In 2018, the American Civil Liberties Union revealed that Amazon's facial recognition technology, Rekognition, incorrectly identified 28 Members of Congress as people who have been arrested for a crime. Of the 28, a disproportionate number were people of colour. Also in 2018, researchers Joy Buolamwini and Timnit Gebru found that facial recognition systems had higher error rates while identifying women and people of colour, with the error rate being the highest while identifying women of colour. The use of this technology by law enforcement authorities has already led to three people in the U.S. being wrongfully arrested. On the other hand, cases of false negative results can lead to exclusion of the individual from accessing essential schemes which may use FRT as means of providing access. One example of such exclusion is the failure of the biometric based authentication under Aadhaar which has led to many people being excluded from receiving essential government services which in turn has led to starvation deaths.

However, even if accurate, this technology can result in irreversible harm as it can be used as a tool to facilitate state sponsored mass surveillance. At present, India does not have a data protection law or a FRT specific regulation to protect against misuse. In such a legal vacuum, there are no safeguards to ensure that authorities use FRT only for the purposes that they have been authorised to, as is the case with the Delhi Police. FRT can enable the constant surveillance of an individual resulting in the violation of their fundamental right to privacy.

What did the 2022 RTI responses by Delhi Police reveal?

The RTI responses dated July 25, 2022 were shared by the Delhi Police after Internet Freedom Foundation filed an appeal before the Central Information Commission for obtaining the information after being denied multiple times by the Delhi Police. In their response, the Delhi Police has revealed that matches above 80% similarity are treated as positive results while matches below 80% similarity are treated as false positive results which require additional "corroborative evidence". It is unclear why 80% has been chosen as the threshold between positive and false positive. There is no justification provided to support the Delhi Police's assertion that an above 80% match is sufficient to assume the results are correct. Secondly, the categorisation of below 80% results as false positive instead of negative shows that the Delhi Police may still further investigate below 80% results. Thus, people who share familial facial



features, such as in extended families or communities, could end up being targeted. This could result in targeting of communities who have been historically overpoliced and have faced discrimination at the hands of law enforcement authorities.

The responses also mention that the Delhi Police is matching the photographs/videos against photographs collected under Section three and four of the Identification of Prisoners Act, 1920, which has now been replaced by the Criminal Procedure (Identification) Act, 2022. This Act allows for wider categories of data to be collected from a wider section of people, i.e., “convicts and other persons for the purposes of identification and investigation of criminal matters”. It is feared that the Act will lead to overbroad collection of personal data in violation of internationally recognised best practices for the collection and processing of data. This revelation raises multiple concerns as the use of facial recognition can lead to wrongful arrests and mass surveillance resulting in privacy violations. Delhi is not the only city where such surveillance is ongoing. Multiple cities, including Kolkata, Bengaluru, Hyderabad, Ahmedabad, and Lucknow are rolling out “Safe City” programmes which implement surveillance infrastructures to reduce gender-based violence, in the absence of any regulatory legal frameworks which would act as safeguards.

SEXTORTION: HOW TECH SAVVY CRIMINALS ARE BLACKMAILING VICTIMS ONLINE

“Hello, if you’re alone, then video-call me,” Rakesh (name changes), 60, a businessman from Delhi, fell for the message on WhatsApp from an unsuspecting young woman in the second week of April this year. When he responded to the request, an obscene video came up on his screen and the call was disconnected shortly. A minute later, an unknown caller threatened him to pay ₹80,000. Or else, he was told, a recorded video call showing him watching the obscene video would be shared among his family members and also on social media. He paid the amount and next, two persons impersonating as Delhi Police Crime Branch officer and YouTube official called him on WhatsApp video and demanded another ₹6.50 lakh by showing him a fake FIR.

It took him two months to file a complaint. An FIR was registered under Sections 384 (punishment for extortion), 170 (impersonating a public servant), 419 (punishment for cheating by personation), 420 (cheating and dishonesty), 120B (criminal conspiracy), 34 (common intention) of the IPC. Rakesh was a victim of sextortion, a crime where persons extort money by threatening victims into leaking private images and videos on the Internet.

Rise in cases

A senior police officer at the Cyber Cell told The Hindu that there has been an uptick in sextortion cases and complaints have doubled during the pandemic. “Before COVID-19, we would receive one-two complaints a month; now we get eight to nine,” the officer said. However, the number of cases far exceeds the number of people who come forward to complain. Also, the number of FIRs registered falls short of the complaints filed.

DCP (Intelligence Fusion and Strategic Operations) K.P.S. Malhotra said that in the last three years, 25 cases have been registered and 33 arrests made. “But this is just the tip of the iceberg. Out of 100 cases, at least 85 victims respond to the calls and 70 fall prey to the sextortion,” he said.

Modus operandi

The modus operandi of such frauds keeps changing periodically. The victims are usually befriended on Facebook and lured into conversations with nude images on messenger chats. If the



victim indulges, then a request for WhatsApp video call is sent and obscene videos are shown from a different phone, while the video call is simultaneously recorded to blackmail. And once the victim falls for the trap and pays the amount, then more money is extorted through impersonation.

Choosing targets

In Rakesh's case, his Facebook profile displayed a lavish lifestyle and the accused traced his digital footprint to figure out his paying capacity. Digital footprint tracing is a new worry for the police. The extortionists keep track of the social media activities of victims. "They monitor comments, likes and shared posts of their target, usually men above 40 and with stable income," said the officer.

"The fraudsters monitor the content viewed by a probable victim before approaching him. They also check out the victim's status, if he is single, divorced or separated," said the police source and added that the accused lay the bait for those who they feel would be vulnerable to such acts. "People come forward to complain when they lose money, but don't pursue an FIR due to social stigma. "The fear of receiving such calls again prevents them from taking action," the source added.

Profile of the accused

In a slew of arrests made in connection with sextortion, the police arrested the kingpin of a Mewat-based gang. Saddam Hussain, 28, was arrested on August 6 for more than 50 extortion cases. Aamir Khan was arrested from Alwar on July 28 for sextorting ₹12,42,850 from a victim, the police said. Maximum arrests related to cyber frauds were made from Nuh, Bharatpur, Alwar, Mewat and Mathura. "The economy of these places is sustained by such scams that mostly involve school drop-outs in their twenties. The accused use Google Translator for conversations in English," said the source. There are apparently three levels of syndicates that run such rackets.

"The first level arranges the SIM card using a fictitious government ID. The second level threatens the victim by impersonating as officials and the third level manages the bank accounts. Those involved either work from their village fields or operate from different areas on a fixed commission," the source added.

THE CONTROVERSY AROUND THE DELHI EXCISE POLICY

The story so far: The New Delhi Excise Policy 2021-22, launched last November, which sought to ensure optimum revenue for the State government, confront the sale of spurious or bootlegged liquor and transform consumer experience, ran into protests and widespread allegations of "procedural lapses". This has forced the government to scrap it with effect from August 1, 2022. On July 22, Delhi Lieutenant Governor Vinai Kumar Saxena recommended a CBI probe into the new policy, which culminated in raids on the premises of the Delhi Government's Deputy Chief Minister Manish Sisodia, who holds the excise portfolio. His role is under the scanner for allegedly providing "undue financial favours" to private liquor licensees, a charge denied by the Aam Aadmi Party (AAP) leadership.

What were some of the changes mooted in the new policy?

The new policy marked the exit of the State government from liquor retail in the city. It sought to provide more choice to alcohol consumers by offering more variety of brands — both popular and



niche ones — through opening more liquor vendors. It sought to provide a “better environment”, especially for female citizens, while shopping for liquor through dedicated alcohol vends.

In addition to reducing the number of dry days in Delhi from over 20 to just three, it also sought to reduce the age of alcohol consumption in Delhi from 25 to 18 — but did not proceed with the step as it would have required a legislative amendment. The new policy also sought to ensure equitable distribution of alcohol vends in the city by ensuring two liquor shops in each municipal ward to bridge the gap between “overserved” and “underserved” areas. Under the new policy, the number of liquor vends in Delhi would have increased from around 630 to 850 — all privately owned and operated. One person could hold more than one liquor retail licence and the “heavily regulated” excise regime under the previous policy was simplified for ease of doing business in the overall trade. Another change in the policy was making wholesale licensees (L1) independent of manufacturers; the revamped policy allowed independent entities to set up wholesale stores and get franchisee from various manufacturers. The revamped policy was implemented on November 17, 2021 and remained in force till July 31, 2022.

Why and how did the revamped policy get mired in controversy?

The revamped excise policy ran into controversy as soon as it was implemented with private liquor vends opening up across the capital. While protests against the opening of liquor shops in their neighbourhoods were led by citizens in some areas, the Bharatiya Janata Party (BJP) and the Congress led a slew of protests against the opening of liquor vends at locations near schools, religious places and unauthorised areas.

Many of these were sealed by the BJP-led Municipal Corporation of Delhi (MCD) for various violations related to non-conforming areas, where certain businesses such as liquor retail are not allowed as per the provisions of the Master Plan for Delhi that governs urban planning, and implementation in the city. As many as 134 court cases, broadly about retail shops in unauthorised or non-conforming areas, issues related to discounts and schemes such as 1+1, rounding off duty and payment of licence fee were filed after the implementation of the policy. Only 468 of the around 850 liquor vends could actually open which led to many vendors surrendering their licences causing revenue losses for the government. On the other hand, vendors increasingly exiting the market effectively brought Delhi’s liquor trade back to square one — making windfall gain for existing players in business and cartelisation.

Why was the new policy abruptly withdrawn?

In July, the Delhi Lieutenant Governor recommended a CBI probe into the new policy after receiving a report from the Chief Secretary, also sent to Chief Minister Arvind Kejriwal, stating that the policy was rife with alleged violations and “deliberate and gross procedural lapses.” What began as an assessment of departures from administrative procedures led to bringing Mr. Sisodia, who holds the excise portfolio, under the lens for allegedly providing “undue financial favours” to liquor licensees. He has been booked for corruption by the CBI along with 15 others including liquor business owners and event media barons — allegedly involved in shaping the new policy — and extending “undue pecuniary advantage to public servants”, bureaucrats and subordinate government officials. Around midnight on July 31, the LG received a proposal from the Delhi Cabinet to scrap the revamped policy and revert to the old policy for six months till the way forward could be figured out. The new policy, according to the proposal, has not been able to achieve its desired objective of “fetching greater revenue” and several issues in it had been flagged and were under detailed examination and investigation by agencies.



How much revenue does Delhi earn from excise?

According to official figures, a little over ₹4,000 crore was generated in excise revenue in 2019-20. Between November 2021 and July 2022, it earned approximately ₹5,400 crore, but the controversy led to a fall in sales and revenue. With both retail and wholesale licensees abandoning their licences or choosing not to renew them, the Delhi government admitted it had been suffering a loss of over ₹193 crore on a monthly basis.

KERALA SAVARI', INDIA'S FIRST ONLINE TAXI SERVICE AS A PUBLIC OPTION

The story so far: Kerala has soft launched 'Kerala Savari', the country's first online taxi service owned by a State government, to ensure fair and decent service to passengers along with fair remuneration to auto-taxi workers. Operated by the Motor Workers Welfare Board under the aegis of the Labour Department, the Kerala Savari ensures safe travel for the public at 'government approved fares' without any 'surge pricing'. The 'Kerala Savari' app would be made available to the public on online platforms shortly as it is under the scrutiny of Google now.

Why has the State government decided to launch this initiative?

The alleged unfair trade practices and violation of consumer rights by private app-based cab aggregators have come as a major concern for governments. Recently, the Central Consumer Protection Authority (CCPA) had issued notices to cab aggregators Ola and Uber for unfair trade practices and violation of consumer rights. Passengers often complain about the deficiency in services including charging exorbitant fares during peak hours, unprofessional behaviour from the part of drivers, lack of proper response from customer support, and undue levy of cancellation charges despite the cab driver refusing to accept the ride booked by the passenger etc.

It is against this backdrop that the Kerala government has decided to come up with an app-based platform to offer auto-taxi service for the public. As private companies are purely focusing on profit making, the government-controlled online taxi service is a service-oriented scheme — a win-win situation for both passengers and taxi-auto drivers and owners.

What are the main attractions of 'Kerala Savari'?

Private cab aggregators used to make a killing with surge pricing during peak hours or in the event of rains. The passengers were often forced to pay through their nose during these critical times. But there will be no fluctuation in fares on Kerala Savari irrespective of day or night or rain.

When private app-based taxi companies increase the charges for services up to two to three times during emergencies, neither passengers nor workers benefit from it. But Kerala Savari only charges an 8% service charge in addition to the rate set by the government, whereas the private cab aggregators charge up to 20 to 30% service charge. The taxi owner will get the approved fare on 'Kerala Savari,' while cab owners working for private online companies would often get a fare which is below the government-approved rate.

Furthermore, of the 8% service charge collected from passengers, 6% will go to the technical partner, and the remaining 2% will go to the implementation of this scheme and for providing promotional incentives to passengers and drivers. The government will not be benefiting from this scheme. For instance, if the passenger travelled a distance fixed for ₹100, the total fare would be ₹108 including service charge. The car owner will get ₹100 and the remaining ₹8 would be



used for running the facility and for providing promotional incentives to passengers and drivers. In the case of online private cab aggregators, the car owner used to get below the rate of ₹100 although he covered a distance fixed for the same fare band. In addition, they would charge more than 20% service charge.

What are the security-related features of 'Kerala Savari'?

One of the major issues that arise with app-based taxi services is that of the security of passengers. Kerala Savari is claimed as a safe and reliable online service for women, children, and senior citizens. This consideration has been given importance in app designing and driver registration. A police clearance certificate is mandatory for drivers joining the scheme apart from the required proper training.

A panic button system has been introduced in the app. This button can be pressed in the event of a car accident or in cases of any other danger. One can do it completely privately. If the driver presses the panic button the passenger will not be alarmed and the same goes for when the passenger presses the panic button. When one presses the button, there is an option to select the Police, Fire Force, and Motor Vehicle Department numbers. If you are in such a dangerous situation that you cannot select any option, press the button for a few seconds and you will be directly connected to the police control room.

It has also been decided to install GPS in vehicles at a subsidised rate. This will be implemented in a phased manner. A 24-hour call centre has been prepared for this purpose. A state-of-the-art call centre is functioning at the district office of the Motor Workers Welfare Board. The call centre works in such a way that all service-related issues can be resolved immediately.

Will the new government initiative end the monopoly of private cab aggregators?

Kerala has over five lakh autorickshaws and one lakh cabs. The State government plans to bring all auto-taxi workers engaged in the sector under the new platform. Since smartphone literacy is high in Kerala, the State is hopeful of bringing them under the scheme in a short span of time. In addition, the Kerala government has also decided to provide fuel, insurance, and tyre subsidies for vehicle owners in the future and has already initiated talks with major companies in this regard. After the evaluation of the first phase of the project in Thiruvananthapuram, it will be extended to the entire State in a phased manner. Kerala Savari is expected to reach Kollam, Ernakulam, Thrissur, Kozhikode, and Kannur municipal limits within a month.

SEX RATIO AT BIRTH NORMALISES SLIGHTLY: STUDY

The latest study by the Pew Research Center has pointed out that "son bias" is on the decline in India as the average annual number of baby girls "missing" in the country fell from 480,000 (4.8 lakh) in 2010 to 410,000 (4.1 lakh) in 2019. The "missing" refers to how many more female births would have occurred during this time if there were no female-selective abortions.

The problem began in the 1970s with the availability prenatal diagnostic technology allowing for sex selective abortions. Among the major religions, the biggest reduction in sex selection seems to be among the groups that previously had the greatest gender imbalances, particularly among Sikhs.



The world over, boys modestly outnumber girls at birth, at a ratio of approximately 105 male babies for every 100 female babies. That was the ratio in India in the 1950s and 1960s, before prenatal sex tests became available across the country. India legalised abortion in 1971, but the trend of sex selection started picking up in the 1980s due to the introduction of ultrasound scan technology. In the 1970s, India's sex ratio was at par with the global average of 105-100, but this widened to 108 boys per 100 girls in the early 1980s, and reached 110 boys per 100 girls in the 1990s.

"From a large imbalance of about 111 boys per 100 girls in India's 2011 census, the sex ratio at birth appears to have normalised slightly over the last decade, narrowing to about 109 in the 2015-16 wave of the National Family Health Survey and to 108 boys in the latest wave of the NFHS, conducted from 2019-21," the report says.

The Pew Research Center report points out that between 2000 and 2019, nine crore female births went "missing" because of female-selective abortions. The report has also analysed religion-wise sex selection, pointing out that the gap was the highest for Sikhs. "In the 2001 census, Sikhs had a sex ratio at birth of 130 males per 100 females, far exceeding that year's national average of 110. By the 2011 census, the Sikh ratio had narrowed to 121 boys per 100 girls. It now hovers around 110, about the same as the ratio of males to females at birth among the country's Hindu majority (109), according to the latest NFHS," the report says.

Both Christians (105 boys to 100 girls) and Muslims (106 boys to 100 girls) have sex ratios close to the natural norm, and this trend is holding.

The study points out that while the Sikhs make up less than 2% of the Indian population, they accounted for an estimated 5%, or approximately 440,000 (4.4 lakh), of the nine crore baby girls who went "missing" in India between 2000 and 2019. The share of "missing" girls among Hindus is above their respective population share.

VISHNUGADH PROJECT LIKELY TO FACE INQUIRY

An independent panel of the World Bank is considering a plea by residents of Haat village, Chamoli district, Uttarakhand to investigate environmental damage from the under-construction Vishnugad Pipalkoti Hydro Electric Project (VPHEP) in the district, according to documents reviewed by The Hindu.

The 444-MW VPHEP is being built by the Tehri Hydropower Development Corporation (THDC), a partially State-owned enterprise. The project is primarily funded by the World Bank and was sanctioned in 2011. It is proposed to be completed in June 2023. About 40% of the funds for the \$792 million project (₹64,000 crore approx.) has already been disbursed. Residents in their complaint have said muck dumping from the dam threatens the local Lakshmi Narayan Temple, which is deemed to be of historical and cultural importance by the Archaeological Survey of India (ASI).

The historical significance of the temple wasn't known until the ASI investigated and submitted its report this year, said Mallika Bhanot, an environmentalist based in Uttarakhand.

The complainants, whose identities aren't public but comprise 83 community members, said that other than ecological damage, the project had caused forced resettlement, loss of livelihoods and, the amount of compensation offered was often inadequate.



Last September, community members who refused to take compensation and relocate voluntarily were evicted, and some were “locked up in the police station,” the plea notes.

They also complained about the limited availability of water, saying that 70 of the 92 households received water only for two hours daily. Before the project construction, they had ready access to water.

‘WARNING LABEL MOST EFFECTIVE IN IDENTIFYING HARMFUL NUTRIENTS’

A new study in India has found that warning labels on food packets are most effective in helping consumers identify foods “high in sugar, saturated fat and sodium” as compared with other labelling formats.

Published in an open access journal, *Nutrients*, earlier this month, the study is the first peer-reviewed paper on the subject in an Indian context. It found that on most parameters, the Health Star Rating (HSR) format — where a product is assigned between half a star and five stars — was least effective.

FSSAI report

The study comes at a time the Food Safety and Standards Authority of India (FSSAI) is expected to issue its draft regulation on front-of-package labelling (FOPL) and has indicated that it favours HSR, earning the ire of public health experts who have accused it of favouring the food industry.

The authors conducted an in-person randomised experiment on 2,869 adults in six States in India, where participants were shown food packets with one of five FOPLs — a control label (barcode), nutrient-specific warning label (octagon symbol indicating whether the product was high in salt/sugar or saturated fat), Health Star Rating, guideline for daily amount (GDA that gives nutritional content information) or traffic light label (indicating red, amber or green levels of nutrients of concern).

The objective of the study was to evaluate the impact of different labels in helping consumers correctly identify packaged products containing excess levels of nutrients of concern such as sugar, saturate fat and sodium.

The study found that relative to a control label, most number of participants were able to identify a nutrient of concern when they were presented a packet with a warning label, with 60.8% recognising harmful nutrients as compared to 55% recognising them when they were shown a GDA label, and 54.8% when shown a traffic light label.

Health Star Rating label performed the worst with only 45% being able to recognise the three nutrients of concern.

Positive outcomes

The warning label outperformed other labels even where secondary outcomes were concerned such as perceived message effectiveness, which is predictive of behavioural change, argue the authors.

It also performed best on outcomes such as identifying products as unhealthy and making users concerned about health consequences.



The GDA and MTL performed best at grabbing attention. The HSR performed worse than all other FOPL types on most secondary outcomes.

However, the study found that warning labels failed to statistically significantly reduce intentions to purchase unhealthy packaged products which is why the authors suggest “the need to reinforce any FOPL policy with a robust and focused communications campaign to increase consumer awareness and understanding”.

Of the participants, 50% were women with an educational level of 12 years or less. Their eligibility criteria included being between the ages of 18 and 60 and involved in decision-making related to grocery purchases for their household at least half the time.

THE ‘TOMATO FLU’ OUTBREAK AND THE CENTRE’S ADVISORY

The story so far: Days after a paper in The Lancet journal raised concerns over the rise in cases of the “new virus known as tomato flu” among children in India, the Union Health Ministry on Tuesday issued an advisory, asking States to take measures to prevent its spread. In a set of guidelines, the Centre referred to the disease as a probable variant of the hand, foot and mouth disease, or HFMD, which commonly occurs in children under 10 years of age and can also infect adults. As per the Lancet paper, India recorded around 100 cases of ‘tomato flu’ in children below nine years of age in less than three months. The transmission of the “highly contagious” yet “non-life-threatening virus” could lead to serious consequences by spreading to adults as well, it adds.

What does The Lancet report say?

In the article ‘Tomato flu outbreak in India’, published in The Lancet Respiratory Medicine journal on August 17, the authors define the infection as a “new virus” that has emerged in Kerala in children younger than five years. The report, however, contradicts itself by also claiming the infection to be in an endemic state. ‘Endemic’ is a term used to refer to a disease which has spread in a limited area but has been around for some time. The report further claims that ‘tomato flu’ was first identified in the Kollam district of Kerala on May 6 this year. However, a study published by the U.S. National Library of Medicine in its Immunity, Inflammation and Disease journal in July says that cases of ‘tomato fever’ have been reported in the past in 2007 as well.

The authors do not mention a specific origin, type or cause of the infection. They suggest that it may be an after-effect of chikungunya or dengue fever in children rather than a viral infection, or that the virus could also be a new variant of the HFMD — a common viral infection affecting young children that appears with fever, rashes or blisters on the skin and mouth sores.

What are experts saying?

As far as its etymology is concerned, the Lancet report claims that the ‘tomato flu’ is so named because of the “eruption of red and painful blisters throughout the body that gradually enlarge to the size of a tomato.” Medical experts have taken strong exception to this, saying that the usage of such terms is unscientific and misleading. They also clarify that the infection is not related to the consumption of tomatoes in any way.

“Tomato fever is a misleading colloquial name for hand, foot, and mouth disease. This is a mild viral illness commonly affecting young children typically below age 10. It is usually caused by a Coxsackie virus... It produces red spots on the skin, and hence someone called it ‘tomato fever’,



and the name became popular. But using such terms is misleading because many people mistakenly believe it comes from tomatoes,” Indian Medical Association (IMA) member Dr. Rajeev Jayadevan was quoted as saying by news agency ANI.

Hyderabad-based paediatrician Dr. Suresh Kumar Panuganti shared a similar view with The Hindu. “‘Tomato flu’ is caused by Coxsackievirus A16. It belongs to the Enterovirus family. HFMD is a frequent febrile rash illness of childhood caused by enteroviruses (EV): Coxsackie A16 (CA16), EV A71, Coxsackie A6, Coxsackie B and Echo viruses.”

Another doctor said such reports cause panic. “The community is just recovering from COVID and therefore is very sensitive and receptive to new endemics. Additionally, this type of news creates panic,” Dr. Dhiren Gupta of Sir Ganga Ram Hospital told ANI.

Virologist Dr. Angela Rasmussen has also highlighted the lack of evidence in the report published by The Lancet. In a series of tweets, she said that the paper had failed to establish some crucial points related to ‘tomato flu’. She also pointed out that the paper was published in the ‘correspondence’ section of The Lancet. According to the medical journal’s website, ‘correspondence’ news or discussions are not normally externally peer-reviewed.

What did the advisory state?

In its communication on Tuesday, the Ministry of Health and Family Welfare stated that the illness is a clinical variant of the HFMD. The Ministry, however, also used the term ‘tomato flu’ in the advisory. The Ministry clarified that the virus causing ‘tomato flu’ is not related to SARS-CoV-2, monkeypox, dengue, or chikungunya despite symptoms similar to those in viral infections. “It seems the disease is a clinical variant of the so-called hand, foot and mouth disease (HFMD) that is common in school-going children. Infants and young children are also prone to this infection through the use of nappies, touching unclean surfaces as well as putting things directly into the mouth,” the Centre said. It is a self-limiting illness and no specific medication exists for its treatment yet, it said.

On symptoms, the Centre said a child infected with ‘tomato flu’ will have fever, rashes and pain in joints. The illness usually begins with a mild fever, poor appetite, malaise, and occasionally, a sore throat. Small red blisters appear one or two days after the fever and these sores are usually located on the tongue, gums, inside of the cheeks, palms and soles. In some cases, fatigue, nausea, vomiting, diarrhea, dehydration, swelling of joints, body ache, and common influenza-like symptoms have also been noted.

It advised isolation for five to seven days from the onset of any symptom to prevent the spread of infection. Other guidelines mentioned in the report include supportive therapy of paracetamol for fever and body ache as well as other symptomatic treatments, a nutrition-rich, balanced diet to boost immunity, rest, plenty of fluids and a hot water sponge to provide relief from irritation and rashes etc.

AFRICAN SWINE FEVER: 2 PUNJAB VILLAGES AFFECTED

The Punjab government on Friday declared two villages, one each in Patiala and Fatehgarh Sahib, as African swine fever (ASF) affected zones and notified these areas as ‘infected zones’ for the prevention of the spread of fever.



The two villages include Bandugar in Patiala district and Mandofal in Fatehgarh Sahib district.

The Indian Council of Agricultural Research (ICAR)-National High-Security Animal Disease Institute, Bhopal has confirmed ASF in the samples from these areas, according to a government statement.

“For the prevention of the disease in these villages, restrictions under the provisions of ‘The Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009’ and the ‘National Action Plan for Control, Containment and Eradication of African Swine Fever (June 2020)’ have been strictly imposed,” said Laljit Singh Bhullar, Minister of Animal Husbandry and Fisheries Department

He said that zero to 1-kilometre area of the villages declared as epicentres would be considered “infected zones” while zero to 10 km (9 km) area is classified as “surveillance zones.”

“No living or dead pig (including feral or wild pigs), unprocessed pig meat, feed or any material goods from the piggery farms or backyard piggery shall be taken out of or brought into the infected zone and no person shall bring or attempt to bring into the market any pig or pig products which are known to be infected with the scheduled disease,” he added.

Earlier, African Swine Fever was found in Bilaspur, Sanauri Adda and Manjal Khurd areas of district Patiala. The whole State of Punjab had already been declared as a ‘Controlled Area’ and a ban on inter-district and inter-State movement of any pig or its belongings is being followed.

The Minister urged pig farmers to cooperate with the government for preventing the disease, saying they should not visit other farms, places or districts and should prepare feed for the swine on their farms. This is an incurable and fatal disease which can be prevented only by adopting precautions, he said.

MAKER OF PANDEMIC’S ‘MAGIC PILL’ FACES INCOME TAX SEARCHES AND PIL PETITION

Called “the favourite snack” during the pandemic and a source of multiple social media memes, Dolo-650 mg, which registered sales of over ₹500 crore since the start of the pandemic in India in March 2020, is now in the news over a public interest litigation petition in the Supreme Court and income tax searches on its maker, Micro Labs.

In its petition, the Federation of Medical and Sales Representatives Association of India, a national-level trade union, alleged mounting instances of unethical marketing practices by pharma companies in their dealings (mainly the offer of freebies) with healthcare professionals, which, in turn, has a negative effect on the health of those who are already unwell. The federation has sought enforcement of the right to life under Article 21 of the Constitution.

The Central Board of Direct Taxes, the administrative body for the Income Tax Department, in July accused Micro Labs of indulging in “unethical practices” and distributing freebies estimated at about ₹1,000 crore to doctors and medical professionals for promoting its products. The Income Tax Department searched 36 premises of the firm across nine States on July 6.

Data available with IQVIA, a healthcare research firm, show that Dolo-650 mg registered sales of ₹28.9 crore in December 2021, up 61.45% from the corresponding month the previous year. Its highest sales figures are from April and May in 2021, when it registered sales of ₹48.9 crore and ₹44.2 crore, respectively. This growth was when the country was witnessing the second wave of



COVID-19. Dolo-650 is one brand of paracetamol, also known as acetaminophen, and used to treat fever and mild to moderate pain. It is no different from brands such as Crocin and Calpol. However, unlike Dolo-650 mg, most other brands sell their paracetamol brand in 500-mg tablets.

Data from IQVIA show that Dolo-650 and Calpol (manufactured by GSK Pharmaceuticals) are the key brands driving the paracetamol segment. In all, there are over 30 brands of paracetamol that are top-sellers in different regions of India.

While the Supreme Court is now scheduled to take up the matter on September 29, earlier this month, the National Medical Commission sought details from the Income Tax Department of doctors who allegedly received freebies from six pharma companies, including Micro Labs.

HOW WILL FIFA'S DECISION AFFECT INDIAN FOOTBALL?

The story so far: Late on August 15, world football's governing body FIFA suspended the All India Football Federation (AIFF) indefinitely for "undue interference by a third party" in the process to finalise a new constitution and elect office-bearers. The third party in question was the Supreme Court of India-appointed Committee of Administrators (CoA), comprising Justice (retd.) Anil Dave, former Chief Election Commissioner S.Y. Quraishi and former Indian football captain Bhaskar Ganguly, formed in May to temporarily assume charge of AIFF after the previous establishment, led by president Praful Patel, was deemed to have overstayed the National Sports Development Code of India-mandated 12-year tenure. If AIFF's suspension is not revoked in time, India will lose the rights to host the U-17 Women's World Cup in October.

What constitutes undue interference?

International sports federations like FIFA view any governance structure where an unelected body wields power at a national sports federation like AIFF as third-party interference. In exceptional cases where such a body — in the present case, the CoA — takes charge, it is required to play a temporary, enabling role in line with the statutes of the international body. Ever since the CoA presented the draft constitution to FIFA on July 13, the latter has suggested multiple changes. Chief among them was a repeal of CoA's decision to give players and State associations equal representation (50%) in the electoral college (36 votes each). The Sports Code mandates a minimum of 25% representation for players in decision-making roles. In a letter dated July 25, FIFA said, "Although we agree that the players' voice needs to be heard, we are also of the view that the importance of the existing members of the AIFF should not be undermined. However, we understand the requirements of the Sports Code of India and recommend AIFF to bring in a presence of above 25% of the Eminent Players in the Executive Committee as Co-opted (nominated) Members." FIFA didn't approve of the fact that before the hearing in the Supreme Court on August 3, the CoA didn't revise its equal representation clause. FIFA also took issue with the move to elect an interim body for three months just for the conduct of the World Cup, while the constitution is finalised parallelly. "We understood that the CoA would still play a role within the aforesaid interim mandate," the FIFA letter conveying the suspension said, concluding that this too constituted "undue interference".

How did the CoA react?

In a statement put out a day after the suspension, the CoA expressed "surprise and disappointment" that FIFA's decision had come even as extensive discussions were ongoing between FIFA, CoA and the Union Sports Ministry. The CoA said it was agreeable to conduct



elections with an electoral college consisting of just 36 State representatives and give players representation as nominated members in the Executive Committee as desired by FIFA. In a separate letter, the CoA also assured FIFA that the interim Executive Committee would function independently and will not be supervised by the former. However, the electoral college published on August 16 — after the FIFA suspension was announced — had as many as 69 members, including 36 players. It is understood that changes to the draft constitution to bring it in line with FIFA recommendations will need the Supreme Court's nod.

What is the role of the Union Sports Ministry?

After mostly remaining in the background, the Union government, at the hearing on August 17, informed the Supreme Court that it was in discussions with FIFA. "Yesterday the government took it up. We had two meetings with FIFA. There is some breaking of the ice which has taken place," the government said, and asked for more time. The next hearing is scheduled for Monday.

What are the repercussions of the suspension?

While the biggest threat is to the conduct of the U-17 Women's World Cup, Gokulam Kerala FC not being allowed to play in the ongoing AFC Women's Club Championship in Uzbekistan is the first significant blow. ATK Mohun Bagan's participation in the AFC Cup (September 7) is also in doubt, so are India's scheduled international friendlies against Vietnam and Singapore next month. Developmental funding from FIFA and the Asian Football Confederation will stop. Indian clubs cannot sign foreign players and Indian officials will not be eligible for international assignments.

Will the court intervention set a precedent for other sports in India?

In 2022 alone, table tennis, hockey and judo have been placed under court-appointed CoAs for not following the Sports Code. A day after AIFF's suspension, the Delhi High Court brought the Indian Olympic Association (IOA) under a CoA, citing the top court's order in the AIFF matter. But the Supreme Court ordered a status quo after the Union government stated that the International Olympic Committee could see the development as "third-party interference". The next hearing is scheduled for Monday.

Will it change future sports governance models?

Regardless of the turn each of the above cases take, there is an underlying acceptance in the Indian sports administration fraternity that adherence to the Sports Code is non-negotiable. Whether courts should intervene is a matter for debate. But it is to be noted that both FIFA and FIH (world hockey's governing body) did not object to court-appointed committees. FIFA had a problem only with the terms of reference. FIH, on the other hand, was welcoming and went to the extent of saying, "the order of a court is not an interference."

RANGANATHITTU BIRD SANCTUARY REOPENS

After a gap of nearly one month, the Ranganathittu Bird Sanctuary near Mysuru in Karnataka has reopened for tourists. Boating, one of the major attractions of the popular tourist destination, has also been resumed.

The sanctuary was closed for visitors after the place was flooded following heavy discharge from the KRS dam. At one point of time, the discharge into the river exceeded one lakh cusecs and most



of the attractions at the sanctuary were under water, forcing the Forest Department to shut the place for an indefinite period.

This is perhaps for the first time in recent years that the sanctuary was closed for nearly a month as heavy rains in the catchment areas filled the dam to its brim twice, forcing the authorities to release surplus water into the river that submerged places including Ranganathittu located downstream.

Mr. Karikalan said nearly five lakh tourists visit the sanctuary every year. It had suffered damage in April this year due to strong winds. This time, despite heavy flooding, there was not much damage. Boats were safe, he added.

Mr. Karikalan said more boats were being added to the existing fleet ahead of the Dasara festivities. Three new boats and one battery-operated vehicle would also be procured during September.

ANANG TAL LAKE DECLARED MONUMENT OF NATIONAL IMPORTANCE

The Anang Tal lake in South Delhi, believed to have been built a thousand years ago, has been declared a monument of national importance through a gazette notification by the Ministry of Culture earlier this week. The notification, issued on August 22, stated: "The central government is of the opinion that the ancient mound including Anang Tal, Tehsil Mehrauli, district South Delhi, National Capital Territory Delhi... is an ancient site and remains of national importance; Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the central government hereby gives notice of its intention to declare the said ancient site and remains to be of national importance..." The notification also invites objections or suggestions over the next two months. "Any objection or suggestions, to the declaration of the said archaeological site and remains to be of national importance, may be made within a period of two months from the date of issue of this notification, by any interested person in the said ancient site and remains; to the director general, ASI... The objections or suggestions... with respect to said draft notification within the period specified shall be taken into consideration by the central government," it said. Recently, Delhi Lieutenant Governor Vinai Kumar Saxena had visited the Anang Tal Baoli inside Sanjay Van, and directed officials to restore the heritage stepwell within the next two months. Anang Tal is situated "to the north of Jog Maya temple and approximately 500 metres to the northwest of Qutub Complex", and dates back to 1,060 AD. "Tradition ascribes this tank to a Tomar King, Anangpal II, the builder of Lal Kot. It is said to have been a place of a general resort but now it is dried up and used for cultivation..." said the NMMA website.

WHO WAS PANDURANG KHANKHOJE, GHADARITE REVOLUTIONARY AND A HERO OF MEXICO?

Lok Sabha Speaker Om Birla, who is currently in Canada for the 65th Commonwealth Parliamentary Conference, will travel to Mexico where he will unveil statues of Swami Vivekananda and Maharashtra-born freedom fighter and agriculturalist Pandurang Khankhoje (1883-1967). Khankhoje had a close connection with Mexico, the country in which he sought refuge due to his association with the radical pro-Indian independence Ghadar Party.



The Speaker's visit is part of the government's efforts to honour lesser-known Indian-origin leaders outside India. From Mexico, Birla will travel to Suriname on the northern coast of South America, where he will hold discussions with the country's Indian-origin President, Chandrikapersad Santokhi.

Who was Pandurang Khankhoje?

Born in Wardha, Maharashtra, in the late 19th century, Pandurang Khankhoje came in contact with other revolutionaries early on. His daughter Savitri Sawhney, who wrote his biography, wrote of his early years: "As a student, Khankhoje was an ardent admirer of the French Revolution and of the American War of Independence. Closer to home, the Hindu reformer Swami Dayanand and his Arya Samaj movement, which called for a spirit of reform and social change, became the hero to a young student group led by Khankhoje." Khankhoje decided to go abroad for further training in revolutionary methods and militaristic strategy. At this time, the British government's suspicions of him were also growing due to his anti-government activities. Before leaving, he visited Bal Gangadhar Tilak, by whom he was inspired. Tilak advised him to go to Japan, which was itself a strong, anti-West Asian imperialistic force then. After spending time with nationalists from Japan and China, Khankhoje eventually moved to the US, where he enrolled in college as a student of agriculture. But a year later, he joined the Mount Tamalpais Military Academy in California to fulfil his original purpose of leaving India.

What was his association with the Indian independence movement?

Khankhoje was one of the founding members of the Ghadar Party, established by Indians living abroad in 1914, mostly belonging to Punjab. Its aim was to lead a revolutionary fight against the British in India. While in the US, Khankhoje met Lala Har Dayal, an Indian intellectual teaching at Stanford University. "Har Dayal had begun a propaganda campaign, publishing a newspaper that featured patriotic songs and articles in the vernacular languages of India. This was the seed from which the Ghadar Party would emerge", wrote Sawhney.

How did Khankhoje reach Mexico?

At the military academy, Khankhoje met many people from Mexico. The Mexican Revolution of 1910 had led to the overthrow of the dictatorial regime, and this inspired Khankhoje. He also reached out to Indians working on farms in the US with the aim of discussing the idea of Indian independence with them. There, he met with Mexican workers as well.

Along with the Indian workers, militant action was planned by Khankhoje in India, but the outbreak of the First World War halted these plans. He then reached out to Bhikaji Cama in Paris, and met with Vladimir Lenin in Russia among other leaders, seeking support for the Indian cause. However, as he was facing possible deportation from Europe and could not go to India, he sought shelter in Mexico. Soon, in part due to his prior friendship with Mexican revolutionaries, he was appointed a professor at the National School of Agriculture in Chapingo, near Mexico City. He researched corn, wheat, pulses and rubber, developing frost and drought-resistant varieties, and was part of efforts to bring in the Green Revolution in Mexico. Later on, the American agronomist Dr Norman Borlaug, called the Father of the Green Revolution in India, brought the Mexican wheat variety to Punjab. Khankhoje was revered as an agricultural scientist in Mexico. The renowned Mexican artist Diego Rivera painted murals that featured Khankhoje, including one titled 'Our Daily Bread' that prominently depicted him breaking bread with people seated around a table.



BUSINESS & ECONOMICS

US JOBS-RECESSION PARADOX

The US GDP fell 1.6% on an annualised basis in the first quarter of 2022 (calendar year), followed by a 0.9% fall in the second quarter. Two consecutive quarters of economic contraction or declining real GDP — that's the general rule to identify a recession.

For most people though, a recession is when they start worrying about their job. Every US recession since World War II has been characterised by a slide in the GDP — or measure of economic output — simultaneously with a spike in unemployment. But this time, it is completely different.

Over the past six months, jobs have been created in the US at the rate of nearly half a million a month. There is no historical precedent for a recessionary economy to produce 528,000 jobs in a month — as the US economy did in July — and at 3.5%, the unemployment rate is the lowest since 1970.

Impending US recession

A recession is generally understood to follow an increase of interest rates by the US Federal Reserve. Rising rates typically signal a danger of uncovering imbalances or systematic risks in the financial system, apart from dampening consumption and demand. There is also the continuing oil price shock (even though prices have eased over the last few weeks), a possible downturn in Europe if Russian natural gas supplies wind down, the economic crisis in China, and the threat from new strains of the coronavirus.

Economic contraction and unemployment typically move in tandem because they feed on each other: when there is a downturn, businesses lay off workers. As a result, people spend less money, which, in turn, dampens demand and lowers profits for businesses. So they lay off more workers, which further dents demand, and this ends up becoming cyclical.

Labour market paradox

Economic output in the US is contracting in line with the Fed's rate-tightening. But companies are still hiring in droves, and many jobs, especially in the pandemic-hit service sector, remain unfilled. US Bureau of Labour Statistics data released on August 5 show non-farm payroll employment rose by 528,000 in July, and unemployment was down to 3.5%.

The Labour Statistics news release presents data from two monthly surveys: the household survey that measures labour force status, including unemployment, by demographic characteristics, and the establishment survey that measures non-farm employment, hours, and earnings by industry. Besides lower unemployment rates, the labour market is also showing record high ratios of new job openings to potential applicants—which points to the fact that companies are still reporting open job postings.

There are two main takeaways from the July data. One, the number of working Americans has topped the pre-pandemic number, as the economy added jobs at a three-month moving average of 437,000. Two, the unemployment rate dropping to 3.5% means it is back to its pre-pandemic



low, which marks the lowest unemployment rate in half a century. Also, the total number of unemployed workers (5.67 million) was lower in July than it was in February 2020 (5.72 million).

Fed's rate-tightening

There is a view that the strength of the labour market increases the headroom for the Fed's rate tightening action. The other view is that given the Fed's target to "achieve maximum employment and inflation at the rate of 2% over the longer run", the central bank could be forced to go more aggressive in its monetary-policy tightening path to tame inflation, leading to a hard landing.

There are other indicators that are looking up or staging a substantial recovery, quite out of sync with the Fed's aggressive moves to slow the economy down. American shares, which had a torrid six months from January-June this year — the worst such period in more than five decades, with the S&P500 diving over 20% and the NASDAQ over 30% — are on a sharp rebound. Since the middle of June, the NASDAQ is up more than 20% from its low, officially entering a bull rally, while the S&P500 is up by more than 15%.

Prior to the pandemic-induced 2020 recession, other recent recessions have been credit-driven, including the financial crisis of 2007-08, and the dotcom bust of 2000-01. In those cases, debt-related excesses built up in housing and Internet infrastructure, and it took nearly a decade for the economy to absorb them. By contrast, excess liquidity, not debt, is the most likely catalyst for a recession today, Shalet noted in her Global Investment Committee Weekly report of June 27.

Fed hikes' impact elsewhere

A sharper-than-expected hike in rates in the US is bad news for emerging markets and could have a three-pronged impact. When the Fed raises its policy rates, the difference between the interest rates of the two countries narrows, thus making countries such as India less attractive for the currency carry trade. A high rate signal by the Fed would also mean a lower impetus to growth in the US, which could be yet negative news for global growth, especially when China is reeling under a real estate crisis. Higher returns in the US debt markets could also trigger a churn in emerging market equities, tempering foreign investor enthusiasm. There is also a potential impact on currency markets, stemming from outflows of funds.

A CENTRE-STATE SKEW FURTHER WIDENED

Nearly two weeks ago, Chief Ministers expressed their concern about dwindling State revenues in a NITI Aayog meeting chaired by the Prime Minister. They sought a higher share in the divisible pool of taxes and an extension of GST compensation, both of which have long remained a bone of contention between the Union government and the States.

States' financial health had taken a turn for the worse with the implementation of the Ujwal DISCOM Assurance Yojana, farm loan waivers, as also the slowdown in growth in 2019-20. But, heightened expenses during the pandemic and a revenue shortfall further strained their finances.

It is in this context that it becomes important to understand who raises the revenue and who carries the bulk of expenditure. The Constitution grants the Union government more revenue-raising powers while the States are tasked to undertake most of the development and welfare-related responsibilities. According to the 15th Finance Commission's report, in FY19, the Union



government raised 62.7% of the total resources raised by the Union government and States, while States had borne 62.4% of the aggregate expenditure.

This allocation of taxation powers and expenditure responsibilities results in an imbalance, and hence the Constitution provides for sharing of the Union government's revenue with the States. Successive Finance Commissions (FC) have attempted to reduce the imbalance by increasing the States' share in Central taxes. Although the 14th and 15th FC raised the share of States in gross taxes to over 40%, the actual share never reached this mandated level. After reaching a peak of 36.6% in FY19, States' share fell and has since stagnated at around 29%. At the same time, the gap between the share recommended by the FC and the actual devolution has widened to more than 11 percentage points, the highest in at least two decades.

So, even though FC raised the States' share in Central taxes, it didn't translate into an increase in the actual share devolved as the divisible pool shrank. This can be explained by illustrating the revenue sharing during the pandemic. As the gross tax revenues took a hit during the pandemic, the States' share of the Union government's taxes recorded a steep fall of 15% and 9% in FY20 and FY21, respectively. But, the Union government's share continued to rise. This is because the Centre beefed up its revenue by levying cesses and surcharges which are not shareable with the States.

In the past few years, the share of cesses and surcharges in gross tax revenue has risen significantly. From 10.4% in FY12, their share climbed up to 20% by FY21, suggesting the Union government's excessive reliance on these instruments to raise revenue. While the surge in cess/surcharge revenue, largely through duties on fuel has swelled the Union government's coffers, this has also shrunk the divisible pool of resources.

Various cesses and charges are imposed by the government to raise resources. They are transferred to Reserve Funds to ensure that they are being used for the intended purpose. Worryingly, in FY20, about 40% of the cesses levied — worth ₹78,000 crore — were not transferred to the Reserve Funds. Between FY10 and FY20, ₹1.28 lakh crore was collected as a cess on crude oil. However, not a single penny was transferred to the Oil Industry Development Board (OIDB).

The shrinking of the divisible pool despite a higher burden on expenditure on States suggests that the Chief Ministers' grouse appears to be valid and requires redressal.

NOT PLANNING TO LEVY CHARGES ON UPI: GOVT.

The Finance Ministry on Sunday called UPI services a “digital public good”, and said the government was not considering levying charges for them. The statement comes four days after the Reserve Bank of India (RBI) floated a discussion paper on levying charges in payment systems such as the UPI, NEFT and IMPS. While officials aware of the deliberations behind the central bank's discussion paper said the idea was only to help firms providing UPI services recover their operational costs, perhaps by levying a charge as low as one paisa or two per transaction, the Ministry said these concerns could be addressed through other solutions. “UPI is a digital public good with immense convenience for the public and productivity gains for the economy. There is no consideration in Govt to levy any charges for UPI services,” the Ministry said.

“The concerns of the service providers for cost recovery have to be met through other means,” the Ministry said, adding that the government had provided financial support for digital payment



ecosystem last year as well as this year to encourage their further adoption and promotion of payment platforms that are “economical and user-friendly”. On August 17, the RBI issued a discussion paper on charges in payment systems, stating that such charges should be reasonable and competitively determined for users.

THE COMPETITION (AMENDMENT) BILL, 2022

The story so far: The Indian Competition Act was passed in 2002, but it came into effect only seven years later. The Competition Commission primarily pursues three issues of anti-competitive practices in the market: anti-competitive agreements, abuse of dominance and combinations. As the dynamics of the market changes rapidly due to technological advancements, artificial intelligence, and the increasing importance of factors other than price, amendments became necessary to sustain and promote market competition. Therefore, a review committee was established in 2019 which proposed several major amendments. The long-awaited Bill to amend the Competition Act, 2002, was finally tabled in the Lok Sabha recently.

What is the major change in dealing with new-age market combinations?

Any acquisition, merger or amalgamation may constitute a combination. Section 5 currently says parties indulging in merger, acquisition, or amalgamation need to notify the Commission of the combination only on the basis of ‘asset’ or ‘turnover’. The new Bill proposes to add a ‘deal value’ threshold. It will be mandatory to notify the Commission of any transaction with a deal value in excess of ₹2,000 crore and if either of the parties has ‘substantial business operations in India’. The Commission shall frame regulations to prescribe the requirements for assessing whether an enterprise has ‘substantial business operations in India’. This change will strengthen the Commission’s review mechanism, particularly in the digital and infrastructure space, a majority of which were not reported earlier, as the asset or turnover values did not meet the jurisdictional thresholds.

When business entities are willing to execute a combination, they must inform the Commission. The Commission may approve or disapprove the combination, keeping in mind the appreciable adverse effect on competition that is likely to be caused. The Commission earlier had 210 days to approve the combination, after which it is automatically approved. The new Bill seeks to accelerate the timeline from 210 working days to only 150 working days with a conservatory period of 30 days for extensions. This will speed up the clearance of combinations and increase the importance of pre-filing consultations with the Commission.

What is gun-jumping?

Parties should not go ahead with a combination prior to its approval. If the combining parties close a notified transaction before the approval, or have consummated a reportable transaction without bringing it to the Commission’s knowledge, it is seen as gun-jumping. The penalty for gun-jumping was a total of 1% of the asset or turnover. This is now proposed to be 1% of the deal value.

What challenge do combining parties face in open market purchases?

There have been several gun-jumping cases owing to the combining parties’ inability to defer the consummation of open market purchases. Many of them argue that acquisitions involving open market purchase of target shares must be completed quickly, lest the stock value and total



consideration undergo a change. If parties wait for the Commission's clearance, the transaction may become unaffordable.

Similar to the European Union merger regulations, the present amendment Bill also proposes to exempt open market purchases and stock market transactions from the requirement to notify them to the Commission in advance. This is subject to the condition that the acquirer does not exercise voting or ownership rights until the transaction is approved and the same is notified to the Commission subsequently.

Does the amendment Bill address the issue of Hub-and-Spoke Cartels?

A Hub-and-Spoke arrangement is a kind of cartelisation in which vertically related players act as a hub and place horizontal restrictions on suppliers or retailers (spokes). Currently, the prohibition on anti-competitive agreements only covers entities with similar trades that engage in anti-competitive practices. This ignores hub-and-spoke cartels operated at different levels of the vertical chain by distributors and suppliers. To combat this, the amendment broadens the scope of 'anti-competitive agreements' to catch entities that facilitate cartelisation even if they are not engaged in identical trade practices.

What is the amendment to the 'settlements' and 'commitments' mechanisms?

The new amendment proposes a framework for settlements and commitments for cases relating to vertical agreements and abuse of dominance. In the case of vertical agreements and abuse of dominance, the parties may apply for a 'commitment' before the Director General (DG) submits the report. 'Settlement' will be considered after the report is submitted and before the Commission decides. According to the amendment, the Commission's decision regarding commitment or settlement will not be appealable after hearing all stakeholders in the case. The Commission will come out with regulations regarding procedural aspects.

What are the other major amendments?

In the amendment Bill, a provision called 'Leniency Plus' allows the commission to give an additional waiver of penalties to an applicant who discloses the existence of another cartel in an unrelated market, provided the information enables the Commission to form a prima facie opinion about the existence of the cartel. Other noteworthy amendments include the appointment of the DG by the Commission rather than the Central government, giving the Commission greater control. According to the Bill, the DG has the power to conduct investigations, including raids. The Commission will only consider information filed within three years of the occurrence of the cause of action. As part of the Bill, penalties and penalty guidelines are proposed to be amended. For any false information filed, a penalty of five crore will be imposed, and for failure to comply with the Commission directions, a penalty of ₹10 crore will be imposed. Additionally, the Commission will develop guidelines regarding the amount of penalties for various competition violations. For an appeal to be heard by the National Company Law Tribunal (NCLT) against the Commission's order, the party will have to deposit 25% of the penalty amount.

What next?

By implementing these amendments, the Commission should be better equipped to handle certain aspects of the new-age market and transform its functioning to be more robust. The proposed amendments are undoubtedly needed; however, these are heavily dependent on regulations that will be notified by the Commission later. These regulations will influence the proposals. Also, the



government needs to recognise that market dynamics change constantly, so it is necessary to update laws regularly.

IMPROVING RICE YIELD WITH AN ADDITIONAL GENE

The Green Revolution of the 1960s brought about a marked improvement in the yield of agricultural crops such as rice and wheat. It was based on the use of newly developed high-yielding crop varieties in conjunction with the intense use of irrigation, chemical fertilizers and pesticides. India saw a three-fold increase in rice yield per hectare.

Now, fifty years later, some negative effects of this intense methodology are becoming apparent — nitrogen fertilizers and agrochemicals pose environmental hazards; water is often in short supply; and agricultural soil is increasingly fatigued. To obtain more food for the world's growing population, forests and grasslands would have to be converted to farms in order to produce food. This, in turn, would enormously strain our ecosystems.

40% yield increase

A possible way out of this conundrum has been suggested in a recent publication by Wei et al., “A transcriptional regulator that boosts grain yields and shortens the growth duration of rice”, which appears in the journal *Science*, July 22, 2022. Erik Stokstad, a reporter for *Science* points out in the same issue that “supercharged biotech rice yields 40% more grain”.

This report points out that giving a Chinese rice variety a second copy of one of its own genes has boosted its yield by up to 40%. When a second copy of a single gene (called *OsDREB1C*) is added to rice, it improves photosynthesis and nitrogen use, speeds up flowering and absorbing nitrogen more efficiently — offering larger and more abundant grains. The change helps the plant absorb more fertilizer, boosts photosynthesis, and accelerates flowering, all of which could contribute to larger harvests.

Rice exports

India is the world's largest exporter of rice. It exported 18.75 million metric tons to over 150 countries during the year 2021-22, thereby earning \$6.11 billion. This is a vast improvement from what it did a few years ago. As Adhikari et al. point out in 2016 (*Export of rice from India; performance and determinants. Agri. Econ. Res. Review*), it is clear that with growing demand in the coming years, strategies should be found to increase the production and export of rice.

Vietnam turns out to be the second most producer of rice, and it produced 6.5 million tonnes in 2021-2022. It has to be much more than the 18.75 million tons for India to continue and expand its role as the world's largest producer and exporter of rice. It is here that the above-mentioned paper from China by Wei et al. in *Science* is of value.

Gene modulation

A key point is that the researchers have added the same gene again, and not any foreign one. This is best described as genetic modulation. It is not a genetic modification (GM) and neither is the result a transgenic plant, carrying elements from another donor.

This is particularly relevant to India, which must aim to continue its world position in the production of rice and marketing. An article published on June 16 in *The Wire* ('India's GM crops



regulation should be based on a gene's effects, not its source') points out that "India has exempted crops with certain kinds of genetic modifications from the regulations previously imposed on the commercialisation of all genetically modified crops".

For example, BT cotton involves the transfer of the gene from the bacterium called *Bacillus thuringiensis* (BT) to be transferred to normal cotton. India's Agriculture Ministry has pointed out in 2019 that they have allowed transfer of this foreign gene to normal cotton, produce the BT cotton, which is then manufactured and sold both in India and abroad.

Likewise, an article in Business Standard points out that India will import 1.2 million tons of genetically modified (GM) soyabeans for livestock feed. Now, if the ministry allows the import of GM soyabean from abroad, why should it not allow the manufacture of this in India itself?

On the other hand, what the Science authors had done above is to add an extra copy of an already existing 'native' gene (OsDREB1C) in rice, and not a foreign one, as in the case of BT cotton or BT soyabean. India has some excellent rice researchers located in Andhra Pradesh, Karnataka, Punjab and Haryana, and genetic engineers in several laboratories across the country.

The Ministry of Agriculture can come together with the Department of Biotechnology (DBT) and nutritionists from the Indian Council of Medical Research (ICMR) can support these researchers to augment India's role as the major rice exporter in the world.

CHINESE TECH FIRMS UNDER WIDER SCRUTINY IN INDIA

The story so far: Having experienced income tax searches, exclusion from 5G telecom trials and increasing restriction on research collaborations, The Hindu learnt from sources that Chinese telecom major Huawei may downsize its research and development (R&D) facilities in India — indicative of an endgame for its Indian operations. Other than Huawei, sector peers ZTE, Vivo, Xiaomi and Oppo too have had their offices searched in the past few months. This is believed to be part of a series of government measures aimed at checking Chinese corporate influence in the country.

What are the allegations against various Chinese companies?

In India, Vivo, Xiaomi and Oppo have been broadly accused of tax evasions, discharging illegal remittances, forged identifications and incorrect disclosures. In April this year, the Enforcement Directorate (ED) seized ₹5,551.27 crore from the Xiaomi's India unit. It alleged that the company had remitted foreign currency equivalent to the mentioned amount to three foreign-based entities, including one Xiaomi group entity, under the guise of 'royalty'. The company was alleged to have not availed any service from either of the entities and that the remittances ultimately benefited its group entities. This was seen to be in violation of certain provisions of the Foreign Exchange Management Act (1999). Xiaomi denied the allegations and said that the payments were made for in-licensed technologies and IPs used in their Indian products under the purview of a legitimate commercial arrangement.

Continuing this trend, in July, the ED carried out searches at 48 Vivo locations in the country. The ED was acting on an FIR by the Ministry of Corporate Affairs that the Grand Prospect International Communication Pvt Ltd (GPICPL), one of Vivo's associated companies, had used forged identification documents and falsified addresses at the time of incorporation. As per the ED, the company's registered address was that of a government building and the house of a senior



bureaucrat. This pointed to the presence of a shell company carved to sidestep taxation. The companies were said to have transferred “huge amount of funds to Vivo India”. Moreover, Vivo India allegedly remitted about 50% of its total sale proceeds to China to disclose huge losses in Indian-incorporated companies to avoid paying taxes. This was in violation of the Prevention of Money Laundering Act (2002).

In the same month, Oppo was issued a show-cause notice after the Directorate of Revenue Intelligence (DRI) detected customs duty evasion of ₹4,389 crore. The DRI’s searches placed evidence that alleged Oppo had wilfully declared incorrect descriptions of certain imported items for manufacturing their mobile phones in India. This resulted in the company wrongfully availing duty exemption benefits of ₹2,981 crore. Further, the import of intellectual rights acquired from outside the Indian territory was not accounted in their balance sheets for imported products. This is in violation of various provisions of the Customs Act (1962) and Customs Valuation (Determination of Value of Imported Goods) Rules, 2007.

Why is China’s ‘cyber-image’ under constant scrutiny?

Across the world Chinese companies have been disfavoured for providing critical infrastructure for essential telecommunication services. The list includes the U.S., U.K., Australia and New Zealand among other countries. This is despite the fact that Huawei and other Chinese companies offering significantly lower prices than domestic competitors.

In a separate context, Senior Fellow at the Observer Research Foundation (ORF) Sameer Patil stated in April, “Not just cyberattacks, China has even utilised overseas business contracts and activities to pursue its cyber-espionage campaign. A crucial part of this campaign is the telecom network and fibre optic communications infrastructure provided by Chinese companies like China Telecom, Huawei, and ZTE.”

In a recent example of this concern, Reuters reported in July that the Biden administration is investigating Huawei over concerns that cell towers in the country were fitted with gear that could capture sensitive information from military bases and missile silos, that could be transmitted to China.

Are we also looking at cyber-attacks?

On multiple occasions, China has been accused of cyberattacks aimed at collecting information of a sovereign’s critical infrastructure. North American cybersecurity firm Recorded Future stated that the October 2020 Mumbai blackout was carried out by China-linked hacker group ‘RedEcho’ as a follow-up act to the Galwan Valley clash between the armies of the two countries.

Not just sovereigns, companies such as Vodafone and Microsoft too have spoken about such attacks by “state-sponsored” actors. Moreover, in March last year, another cyber-intelligence firm Cyfirma reported that Chinese state-backed groups had targeted the IT systems of Indian vaccine makers Bharat Biotech and Serum Institute of India. The two companies were believed to be prominent participants in India’s ambition for fostering vaccine diplomacy.

What happens to the market in the face of a potential exit?

What has helped the growth of Chinese telecom companies in India is its price-competitiveness in a price sensitive market. According to Counterpoint Research, Chinese players have a 75-80%



share in the sub-\$150 segment that contributes to 31% of the overall smartphone market. There has therefore, emerged an urgency to find a perfect competitive replacement for Chinese products.

Associate Fellow at the ORF, Soumya Bhowmick told The Hindu, “Not just India but several other countries are so dependent on Chinese products. This is primarily because China has mainly monopolised the lower ends of the global value chains.” The latter refers to the basic components required for a product, such as a pen cap for a pen. He added that ‘Make in India’ does possess the bandwidth to provide an alternative but it would be a “plan for many years”.

Counterpoint Research opines that an outright ban for Chinese smartphone players is unlikely. As for an overall replacement, it stated, “They need a strong portfolio, distribution, and after-sales services mix, which is currently missing from Indian brands.”

Notwithstanding the recent regulatory scrutiny, and the presence of alternate markets in Bangladesh, Thailand and Vietnam, Mr. Bhowmick believes it is unlikely that Chinese firms would want to exit the Indian market so soon.

CONTRACT ENDED, CHINA FIRM CLAIMS DAMAGES, INDIAN RAILWAYS REPLIES WITH COUNTER

Two years after the Railways terminated a Rs 471-crore contract of the Chinese Railway’s signalling and telecom arm for its works in Uttar Pradesh, the Chinese firm has locked Indian Railways in international dispute and claimed Rs 279 crore compensation.

The company, China Railway Signalling and Communication (CRSC) Research and Design Institute, recently instituted arbitration under International Chamber of Commerce (ICC) rules in Singapore.

Playing hardball, the Indian side — the Dedicated Freight Corridor Corporation of India Limited (DFCCIL), under the Railways — has issued a counter-claim of Rs 71 crore on the Chinese major. The matter is headed for a showdown in the international tribunal, sources in the Railways said.

In 2020, DFCCIL terminated CRSC’s contract for installation signalling and telecom systems on the 417-km stretch between Kanpur and Mughalsarai (now Deen Dayal Upadhyay) stations in UP for the Eastern Dedicated Freight Corridor.

The contract was terminated at the peak of the border dispute between the neighbours in Ladakh. The DFCCIL had cited non-performance by the contractor as the reason behind the move.

The Chinese company had dragged the matter to Delhi High Court at the time, but to no avail.

It has now raised claims regarding works it affirms to have executed under the contract but was not paid for; return of its forfeited bank guarantee; interest on various forfeited amounts; and claims for various overheads and contractual deployment. The Chinese company contends that termination of the contract was illegal, as the Indian side did not comply with the procedure set out for termination in the contract.

The Railways has said that the Chinese company did not do any work, and even after four years made only around 20 per cent progress. Asked about the progress of the contract now, a DFCCIL official said that the balance work was re-tendered and is progressing under a different contractor.



LIFE & SCIENCE

MOON'S ORIGIN

Over the course of nearly five centuries, researchers put forward numerous, much debated theories as to how the Moon was formed. Now, researchers at ETH Zurich discover the first definitive proof that the Moon inherited indigenous noble gases from the Earth's mantle. They show that the Moon inherited the indigenous noble gases of helium and neon from Earth's mantle (Science Advances).

The discovery adds to the already strong constraints on the currently favoured "Giant Impact" theory that hypothesises that the Moon was formed by a massive collision between Earth and another celestial body.

The researchers analysed six samples of lunar meteorites — consisting of basalt rock that formed when magma welled up from the interior of the Moon and cooled quickly — from an Antarctic collection. The meteorites remained covered by additional basalt layers after their formation, which protected the rock from cosmic rays and, particularly, the solar wind.

They discovered that the glass particles retain the chemical fingerprints (isotopic signatures) of the solar gases: helium and neon from the Moon's interior. Their findings strongly support that the Moon inherited noble gases indigenous to the Earth, says a press release.

Using a state-of-the-art noble gas mass spectrometer named "Tom Dooley" the researchers were able to measure sub-millimetre glass particles from the meteorites and rule out solar wind as the source of the detected gases.

WHAT ARE 'FOREVER CHEMICALS' THAT ARE CONTAMINATING RAINWATER GLOBALLY?

A recent study published in Environment Science and Technology has found that rainwater from many places across the globe is contaminated with "per- and polyfluoroalkyl substances," (PFAs), which are called "forever chemicals" because of their tendency to stick around in the atmosphere, rainwater and soil for long periods of time.

What are PFAs?

According to the US Centre for Disease Control and Prevention (CDC), PFAs are man-made chemicals used to make nonstick cookware, water-repellent clothing, stain-resistant fabrics, cosmetics, firefighting forms and many other products that resist grease, water and oil. PFAs can migrate to the soil, water and air during their production and use. Since most PFAs do not break down, they remain in the environment for long periods of time. Some of these PFAs can build up in people and animals if they are repeatedly exposed to the chemicals.

What harm do PFAs cause?

The United States Environmental Protection Agency (EPA) lists a variety of health risks that are attributed to PFA exposure, including decreased fertility, developmental effects in children, interference with body hormones, increased cholesterol levels and increased risk of some cancers. Recent research has also revealed that long-term low-level exposure to certain PFAs can make it difficult for humans to build antibodies after being vaccinated against various diseases.



Do we need to be worried about PFAs in the rainwater in India?

While the recently published research article did not include studies of samples collected in India, the nature of PFAs and the wide geographical breadth of samples and the nature of PFAs means that the results can be extrapolated to India, according to lead author Ian Cousins, who spoke to indianexpress.com over an email interaction regarding the same.

How can these chemicals be removed from rainwater?

While there is no known method that can extract and remove PFAs from the atmosphere itself, there are many effective, albeit expensive, methods to remove them from rainwater that has been collected through various rainwater harvesting methods. One way to do this would be to use a filtration system with activated carbon. The activated carbon will need to be removed and replaced regularly. Also, the old contaminated material must be destroyed.

Recently, Science reported a cheaper method that EPA researchers led by William Dichtel and Brittany Trang stumbled upon by chance. The researchers first placed a PFA compound in a solvent called DMSO (dimethyl sulfoxide). They then mixed it with sodium hydroxide (lye) in water. They found that when this mixture was heated up to boiling temperature, the PFA compound began to degrade. However, this method doesn't work for all PFAs and only works for certain PFA subsets.

DOGS GET TEARY-EYED WHEN REUNITED WITH OWNER, SAYS STUDY

Every dog owner can vouch for how elated their pets are when reunited with them. A new study now shows that dogs may be tearing up when reunited with their owners.

The study, published in the journal *Current Biology* on Monday, measured the amount of tears in the dogs' eyes with the Schirmer Test, which places a specialized strip under the eyelids. Researchers compared the amount of tears in the dogs' eyes during a normal interaction with their owner, as a baseline. This was compared to the amount of tears in their eyes after a separation of five to seven hours.

It showed they "significantly" increased tear production in the first five minutes following reunification with their owners.

"We had never heard of the discovery that animals shed tears in joyful situations, such as reuniting with their owners," said Takefumi Kikusui, one of authors of the study from the Azabu University in Japan.

Love hormone responsible for reaction

Oxytocin, or the "love hormone," is responsible for this reaction. It plays a major role in strengthening the bond and building trust between a mother and child, a couple, or any other humans. Kikusui and his colleagues got the idea for the study after noticing one of his poodles with her puppies. He says he noticed she had tears in her eyes while nursing them. "That gave me the idea that oxytocin could increase the tears," said Kikusui.

They also noticed that the volume of tears was greater when reunited with their owner compared with other people the dog was familiar with.



The scientists then sought to test whether the tears might have an emotional impact on the owners. They asked the owners to rank various photos of their dogs with and without artificial tears by how much they wanted to care for them.

They found that the dog photos with artificial tears were ranked significantly higher than the tearless dog photos. “It is possible that the dogs that show teary eyes during interaction with the owner would be cared for by the owner more,” hypothesized Kikusui.

The authors noted that infants share their negative feelings by crying, which leads to increased care proffered by the parents.

One of the most domesticated animals, dogs have also developed specific communications with humans over time. Eye contact plays a major role in developing the relationship between a dog and its owner.

The researchers said in the future, they would like to study whether dogs produce tears when they meet other canine pals.

GOOGLE SAYS IT WANTS TO INOCULATE PEOPLE AGAINST HARMFUL CONTENT ONLINE. CAN IT, REALLY, AND LOOK WHO’S TALKING

It might seem a bit like hiring the Big Bad Wolf to babysit Red Riding Hood, but hear the case out: Google, through its subsidiary Jigsaw, is launching a programme next week to tackle the scourge of disinformation in Poland, Slovakia and the Czech Republic on Ukrainian refugees. The programme, which essentially comprises 90-second clips designed to “inoculate” people against fake news and other harmful content online, is based on “prebunking”. This is an emerging area of study which looks at whether people can be made resilient against misinformation if they are taught to identify manipulation in content. The idea being that they would be far less susceptible to fake news this way than if they are told that a certain piece of content is manipulated or fake.

Google has described the Jigsaw programme as a pilot study that can eventually be implemented more widely. Given how much real-world harm can be caused by content online, this attempt to stem the misinformation flow is welcome — even if that attempt turns out to be only as effective as a beaver dam in a raging river. Still, it should be remembered that the role of Big Tech in the dissemination of harmful content remains under a cloud, despite the work of whistleblowers like Frances Haugen and court cases around the world. Consider the furor that erupted in 2020 when the Global Disinformation Index revealed that Google had been running ads from organisations like Red Cross and Save the Children on Covid-19 conspiracy sites.

In the war against misinformation — a global affliction that has jeopardised elections, led to violence and ruined or changed relationships forever — all allies are welcome. But considering the role played by Big Tech, including Google, Meta (formerly known as Facebook) and Twitter, in shaping the smoke-and-mirrors world that the internet now is, a little scepticism — or “inoculation” as Google might describe it — is warranted.

POLIO IN US, UK AND ISRAEL REVEALS RARE RISK OF ORAL VACCINE

For years, global health officials have used billions of drops of an oral vaccine in a remarkably effective campaign aimed at wiping out polio in its last remaining strongholds — typically, poor, politically unstable corners of the world.



Now, in a surprising twist in the decades-long effort to eradicate the virus, authorities in Jerusalem, New York and London have discovered evidence that polio is spreading there.

The original source of the virus? The oral vaccine itself.

Scientists have long known about this extremely rare phenomenon. That is why some countries have switched to other polio vaccines. But these incidental infections from the oral formula are becoming more glaring as the world inches closer to eradication of the disease and the number of polio cases caused by the wild, or naturally circulating, virus plummets.

Since 2017, there have been 396 cases of polio caused by the wild virus, versus more than 2,600 linked to the oral vaccine, according to figures from the World Health Organization and its partners.

“We are basically replacing the wild virus with the virus in the vaccine, which is now leading to new outbreaks,” said Scott Barrett, a Columbia University professor who has studied polio eradication. “I would assume that countries like the U.K. and the U.S. will be able to stop transmission quite quickly, but we also thought that about monkeypox.”

The latest incidents represent the first time in several years that vaccine-connected polio virus has turned up in rich countries.

Earlier this year, officials in Israel detected polio in an unvaccinated 3-year-old, who suffered paralysis. Several other children, nearly all of them unvaccinated, were found to have the virus but no symptoms.

In June, British authorities reported finding evidence in sewage that the virus was spreading, though no infections in people were identified. Last week, the government said all children in London ages 1 to 9 would be offered a booster shot.

In the U.S., an unvaccinated young adult suffered paralysis in his legs after being infected with polio, New York officials revealed last month. The virus has also shown up in New York sewers, suggesting it is spreading. But officials said they are not planning a booster campaign because they believe the state's high vaccination rate should offer enough protection.

Genetic analyses showed that the viruses in the three countries were all “vaccine-derived,” meaning that they were mutated versions of a virus that originated in the oral vaccine.

The oral vaccine at issue has been used since 1988 because it is cheap, easy to administer — two drops are put directly into children's mouths — and better at protecting entire populations where polio is spreading. It contains a weakened form of the live virus.

But it can also cause polio in about two to four children per 2 million doses. (Four doses are required to be fully immunized.) In extremely rare cases, the weakened virus can also sometimes mutate into a more dangerous form and spark outbreaks, especially in places with poor sanitation and low vaccination levels.

These outbreaks typically begin when people who are vaccinated shed live virus from the vaccine in their feces. From there, the virus can spread within the community and, over time, turn into a form that can paralyze people and start new epidemics.



Many countries that eliminated polio switched to injectable vaccines containing a killed virus decades ago to avoid such risks; the Nordic countries and the Netherlands never used the oral vaccine. The ultimate goal is to move the entire world to the shots once wild polio is eradicated, but some scientists argue that the switch should happen sooner.

"We probably could never have gotten on top of polio in the developing world without the (oral polio vaccine), but this is the price we're now paying," said Dr. Paul Offit, director of the Vaccine Education Center at the Children's Hospital of Philadelphia. "The only way we are going to eliminate polio is to eliminate the use of the oral vaccine."

Aidan O'Leary, director of WHO's polio department, described the discovery of polio spreading in London and New York as "a major surprise," saying that officials have been focused on eradicating the disease in Afghanistan and Pakistan, where health workers have been killed for immunizing children and where conflict has made access to some areas impossible.

Still, O'Leary said he is confident Israel, Britain and the U.S. will shut down their newly identified outbreaks quickly.

The oral vaccine is credited with dramatically reducing the number of children paralyzed by polio. When the global eradication effort began in 1988, there were about 350,000 cases of wild polio a year. So far this year, there have been 19 cases of wild polio, all in Pakistan, Afghanistan and Mozambique.

In 2020, the number of polio cases linked to the vaccine hit a peak of more than 1,100 spread out across dozens of countries. It has since declined to around 200 this year so far.

Last year, WHO and partners also began using a newer oral polio vaccine, which contains a live but weakened virus that scientists believe is less likely to mutate into a dangerous form. But supplies are limited.

To stop polio in Britain, the U.S. and Israel, what is needed is more vaccination, experts say. That is something Columbia University's Barrett worries could be challenging in the COVID-19 era.

"What's different now is a reduction in trust of authorities and the political polarization in countries like the U.S. and the U.K.," Barrett said. "The presumption that we can quickly get vaccination numbers up quickly may be more challenging now."

Oyewale Tomori, a virologist who helped direct Nigeria's effort to eliminate polio, said that in the past, he and colleagues balked at describing outbreaks as "vaccine-derived," wary it would make people fearful of the vaccine.

"All we can do is explain how the vaccine works and hope that people understand that immunization is the best protection, but it's complicated," Tomori said. "In hindsight, maybe it would have been better not to use this vaccine, but at that time, nobody knew it would turn out like this."

HERE'S HOW SMOKING HARMS THE HEART, CLOTS BLOOD AND CAUSES BRAIN STROKES

A recent publication in the medical journal Lancet reported that 44.4 per cent of global cancer deaths are attributable to three risk factors — smoking, excessive alcohol consumption and a high body mass index (BMI) which indicates overweight or obesity. Each of these is related to



unhealthy behaviour, propelled by commercial drivers, which prioritise profits over people's health.

The tobacco industry trades in death and disease, as more than 25 diseases are linked to active or passive exposure to the noxious chemicals that enter the human body from smoked or chewed tobacco products. The industry has vigorously fought against regulatory measures to control it. When it can no longer derail, delay or dilute regulatory measures, it introduces new products to entice and entrap young persons wearing the veil of "harm reduction." Vaping is one such form being promoted by the tobacco industry.

It is necessary, therefore, to keep informing people about the harm to health from tobacco consumption. Apart from the well-recognised relationship to a variety of cancers, damage to heart and blood vessels can be severe. Indeed, a greater number of tobacco victims die globally from cardiovascular diseases than from cancers. There are many ways in which tobacco consumption, active or passive, can harm the heart, arteries and veins.

WHAT TOBACCO DOES TO BLOOD VESSELS

Smoked tobacco releases several chemicals. Of these, nicotine and carbon monoxide are especially harmful to blood vessels. Nicotine constricts the blood vessels and reduces blood flow. Carbon monoxide is highly injurious to the blood vessel wall. A variety of oxygen-free radicals generated during smoking also damage the blood vessels.

Tobacco use promotes both atherosclerosis (fat deposition coupled with fibrosis) in the vessel walls and thrombosis (blood clot formation) on the damaged vessel walls. Composition and levels of blood fats are affected by smoking. Blood levels of HDL cholesterol (the protective fraction) are decreased while the levels of the highly atherogenic "small dense LDL" fraction increase. Triglyceride levels too rise in the blood. Smoking has also been linked to an increased risk of diabetes and pre-diabetes, which are associated with an increased risk of heart attacks.

When the walls of blood vessels are inflamed, their protective inner lining (the endothelium) is breached. Blood fats get deposited in these damaged areas. Those deposits grow into plaques, with accompanying fibrosis. The plaques continue to grow with time. When large, they can impede blood flow, through mechanical obstruction. This may manifest as angina (chest pain) on exertion, often presaging a heart attack.

HOW SMOKING UPS CLOTTING

Smoking also activates a cascade of proteins (clotting factors), leading to the formation of blood clots. It causes platelets (blood cells that form a clot) to clump together. The atheromatous plaques, even when small, can be destabilised by smoking. As they crack open in any arterial wall, their exposed fatty core initiates clotting of blood flowing in those arteries. When this happens, large clots can quickly form and block blood flow completely. This can lead to a heart attack, which may permanently damage the heart muscle or even kill the person. When a plaque is soft, smoke from even a single cigarette can cause plaque instability, precipitating a heart attack.

AGE FACTOR AND HEART RISK

Smokers get a heart attack 7-10 years earlier than non-smokers. Male smokers have a two-fold higher risk of heart attacks than non-smokers. Women smokers have a three to four fold higher risk of heart attacks than non-smoking peers, because smoking diminishes the protective effect of



female sex hormones. Risk of heart attacks in women smokers is greatly magnified if they are also consuming oral contraceptive pills.

TOBACCO CAUSES ARRHYTHMIA

Tobacco products also cause irregularity of heart beat. While ectopics (missed beats) are common, life threatening electrical disturbances (arrhythmias) too can be triggered. Sudden cardiac death is ten times more common in smokers than in non-smokers. Young smokers succumbing to sudden death, even when only a single coronary artery has been affected, has often been observed. This is due to large clots blocking blood flow.

HOW SMOKING INDUCES BRAIN STROKES

Risk of strokes (brain attacks) too increases because blood clots can form more readily in the blood vessels of tobacco users. These clots cut off blood supply to parts of the brain. By acutely raising blood pressure, smoking increases the risk of sub-arachnoid haemorrhage (a type of brain bleed into the surrounding fluid). Aorta, the main artery that arises from the heart to distribute blood to all parts of the body through its branches, can balloon in parts (aneurysm) and rupture. Disease of arteries of the legs can lead to gangrene and amputation. Even the large veins can suffer from clots. Blood flow through the maternal placenta is reduced as arteries constrict due to active or passive exposure to tobacco smoke, thereby increasing the risk of still births or small sized babies. Endothelial dysfunction of the arteries supplying blood to the male genitalia causes impotence (erectile dysfunction).

DANGERS OF PASSIVE SMOKING

Passive smoking too damages the heart and blood vessels. Studies have shown that arteries of otherwise healthy young male smokers have impaired ability to dilate when needed (endothelial dysfunction). This can set the stage for early atherosclerosis and future heart attacks. Indeed, women and men who are frequently exposed to second-hand smoke have been shown to have a higher risk of heart attacks, compared to those who have low exposure.

With such a wide range of harmful effects on the heart and blood vessels, tobacco must be regarded as a major threat to human health. It is essential that young people, who are attracted to tobacco products, are made fully aware of the harmful consequences of their use. Even adult smokers too should be encouraged to quit. Stopping tobacco consumption halves cardiovascular risk within a year and practically nullifies it by the third year. Deferring the decision to stop can be fatal, as sudden cardiac death can strike without warning. It will be a pity if life goes out in a puff of smoke.

Even as we are engaged in combating a Covid pandemic which refuses to fade away, it is important for us to recognise that tobacco still remains a constant threat to global health. The annual global death toll from tobacco has crossed 8 million. While there have been some successes in reducing the prevalence of tobacco consumption over the past two decades, in India and many parts of the world, tobacco products continue to endanger many millions in the growing global population.