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INTERNATIONAL

SEATTLE BANS CASTE DISCRIMINATION: WHAT DOES THE LAW ENTAIL? WHAT IS THE DEBATE AROUND IT?

Seattle became the first US city to outlaw caste discrimination on Tuesday (February 21), after its local council voted to add caste to the city's anti-discrimination laws, reported Reuters.

The resolution was moved by Kshama Sawant, Seattle City council member and upper-caste Hindu, and was approved by the Council by six to one vote. "It's official: our movement has won a historic, first-in-the-nation ban on caste discrimination in Seattle! Now we need to build a movement to spread this victory around the country," tweeted Sawant after the resolution was passed.

However, certain groups, such as the Hindu American Foundation (HAF), have raised concerns over the move, claiming that "it singles out Hindu Americans for additional legal scrutiny in the name of preventing discrimination".

What exactly does the resolution say?

According to a news release by the Seattle City Council, "the legislation banning caste-based discrimination will prohibit businesses from discriminating based on caste with respect to hiring, tenure, promotion, workplace conditions, or wages. It will ban discrimination based on caste in places of public accommodation, such as hotels, public transportation, public restrooms, or retail establishments. The law will also prohibit housing discrimination based on caste in rental housing leases, property sales, and mortgage loans."

Basically, the legislation will recognise caste as a unique basis of discrimination, similar to race or gender. Currently, caste "is not an explicitly protected class", an article by Seattle-based Real Change News reported. Quoting a spokesperson from the Seattle Office of Civil Rights, the article said that currently, "if our office were to receive a complaint based solely on caste discrimination, we would not be able to investigate it".

The resolution passed last evening is set to change this.

What would this mean?

This move has set a precedent for other cities also adopting such laws in the future. As Kshama Sawant's tweet indicates, Seattle is likely to be just the first city in the US to recognise and ban caste-based discrimination. A similar trend has been observed in college campuses across the US.

Just why exactly are some groups opposing the resolution?

Principle opposition to the resolution has come from Hindu organisations across the US who see this move as something that could lead to further "anti-Hindu discrimination". The lone dissenter, Council Member Sara Nelson, echoed some of these concerns. She said, "this could generate more anti-Hindu discrimination and could dissuade employers from hiring South Asians".

However, this claim has been disputed by various parties, including the council members who participated in the vote. "That's like saying gender discrimination laws single out all men," said



Council Member Lisa Herboldm, arguing that caste discrimination should be recognised even if it is experienced by “just a small population”.

Another criticism of the move has been regarding the research done before the law was passed. Shobha Swamy, a representative of the Coalition of Hindus of North America (CoHNA), said that “Due diligence wasn’t done”, reported AP.

Why this move? Why now?

The US is the second most popular destination for Indians living abroad, according to the Migration Policy Institute, which estimates the US diaspora grew from about 206,000 in 1980 to about 2.7 million in 2021, reported AP. If one looks at the population of migrants from all of South Asia, the number stands at well over 5 million.

According to a 2016 survey by Equality Labs, the findings of which have been rejected by organisations such as HAF and CoHNA, “All of the inequalities associated with Caste status have become embedded in all of the major South Asian American institutions and they extend into mainstream American institutions which have significant South Asian immigrant populations.” Among other things, the survey found that two out of three Dalits reported being treated unfairly in their workplace and one in three Dalits reported discrimination during their education.

Since 2020, caste has made it to the public consciousness of America for multiple reasons.

First, in July 2020, California regulators sued tech giant Cisco Systems Inc, accusing the company of discriminating against an Indian-American employee and allowing caste-based harassment. This incident was among the first major reported instances of caste discrimination in the supposedly progressive environs of Silicon Valley and made headlines across the US.

Second, in the same year, journalist Isabel Wilkerson published a critically-acclaimed book called Caste: The Origins of our Discontents. In this bestselling book during the dog days of the pandemic, Wilkerson discussed various axes of discrimination and tried to find common bases for them. Her discussion on caste using the language of race and vice versa introduced many Americans to the otherwise foreign concept of caste.

In 2021, the Bochasanwasi Akshar Purushottam Swaminarayan Sanstha or BAPS was accused of human trafficking and wage law violations, in regard to the construction of the Swaminarayan Temple in New Jersey. Authorities alleged that BAPS had trafficked in Dalit workers for the temple’s construction.

TREADING A TRICKY PATH

Nikki Haley, daughter of Sikh immigrants from Punjab, and former Republican Governor of South Carolina and U.S. Ambassador to the UN, has announced that she will be joining the race for the U.S. Presidency culminating in the 2024 election. Ms. Haley, who was born in 1972 in Bamberg, South Carolina, as Nimrata Nikki Randhawa, has thus become former President Donald Trump’s first declared challenger in the Republican primary race. Launching her campaign through a video published online, Ms. Haley said she was “the proud daughter of Indian immigrants”. “As a brown girl, growing up in a black-and-white world, I saw the promise of America unfold before me.”

Indeed, growing up in mostly conservative U.S. south could not have been easy for the daughter of Indian migrants, who worked as teachers and ran a clothing business after moving to the U.S.



in the 1960s. Ms. Haley, who was brought up Sikh and converted to Christianity after marrying Michael Haley, an officer with the South Carolina Army National Guard, in 1996, graduated from Clemson University in 1994 with a degree in accounting. While she helped expand her parents' clothing business and became active in local chambers of commerce for a time, Ms. Haley then ran for office and got elected to the state legislature of South Carolina in 2004.

SHOCK DEPARTURE

Nicola Sturgeon, the First Minister of the semi-autonomous government of Scotland and leader of the pro-independence Scottish National Party (SNP), has announced her resignation from both the posts. Her decision brings the curtains down on an eight-year long tenure that began in 2014, when she succeeded her mentor Alex Salmond as First Minister.

Ms. Sturgeon, the daughter of an electrician and a dental nurse, grew up in a working class neighbourhood in the coastal town of Irvine that had long been a stronghold of the Scottish Labour Party (SLP). But things began to change after Margaret Thatcher's neo-liberal 'reforms' in the early 1980s. As Scotland's Labour MPs watched helplessly, Thatcher's supply-side economics upended the lives of the country's industrial workforce.

Seeing the havoc wreaked by Thatcherite policies — introduced from outside Scotland and over which her country's leaders had no say — in her own community, Ms. Sturgeon, now 52, joined the SNP at the age of 16. At the time, the SLP was dominant and the SNP lacked direction. In 1990, Mr. Salmond, an economist, successfully ran for the SNP leadership. He pushed the party to the left of Labour on the economy, and to the right of it on nationalism, aggressively seeking to decouple Scotland politically from the U.K.

Mr. Salmond met Ms. Sturgeon when she was a member of the party's youth wing and the two hit it off. When the U.K. granted Scotland its own Parliament, Ms. Sturgeon, in 1999, became part of the first batch of Scottish Parliamentarians. When the SNP formed a minority government in 2007 and Mr. Salmond became First Minister, he made her Deputy First Minister, a post she would hold till 2014.

Independence vote

In September 2014, a referendum was held on Scotland's independence from the U.K. While 45% voted 'yes', 55% voted against. Mr. Salmond, who had led the SNP's campaign for a 'yes' vote, resigned. Ms. Sturgeon stepped up to take his place. In November 2014, she became both the leader of the SNP and First Minister. Subsequently, she led the SNP to consecutive victories both in the U.K. general elections and in the polls to the Scottish legislature in 2016 and 2021, building a reputation as Britain's most formidable politician.

Ms. Sturgeon's leadership during the COVID-19 pandemic was widely commended, drawing comparisons with another female head of government across the globe, New Zealand's then Prime Minister Jacinda Ardern. But her core political programme has always been Scottish independence.

When the U.K. voted for Brexit, Ms. Sturgeon began to press for a second referendum, pointing out that Scotland had voted decisively (62%) to remain in the EU. But successive U.K. Prime Ministers refused to approve a second referendum. Last November, the U.K. Supreme Court ruled that Scotland did not have the powers to hold a referendum for independence without Westminster approval — a major political setback. It was by no means the only one. Her closest political



associate, Mr. Salmond, was accused of sexual harassment by two former staffers. While he was acquitted of all charges, she got caught in the trial's blowback.

Perhaps the proverbial last straw came when her Gender Recognition Reform Bill, which aimed to make it easy for transgender persons to change the sex on their birth certificate, was blocked by the U.K. government. The Bill sharpened divisions within her own party when a convicted double rapist, a transwoman, was sent to a women's prison.

It seems likely that the unrelenting stress of political life, especially post-COVID, began to wear her down. Ms. Sturgeon seemed to admit as much when she said in her resignation speech, "The nature and form of modern political discourse means there is a much greater intensity — dare I say it, brutality — to life as a politician than in years gone by. All in all, it takes its toll on you and on those around you."

With no clear successor in sight, her exit may unleash a power struggle within the SNP. The party looks at an uncertain future, without the leader who had become its face, and without a strategy on its core plank of independence. But Ms. Sturgeon is only 52, and her retreat may not be permanent.

NOT NEUTRAL

Nearly one year to the date of Russian President Vladimir Putin's launch of attacks on Ukraine (February 24, 2022), the UN General Assembly's vote on the latest resolution to criticise Russia resulted in 141 votes in favour, seven against (it includes Russia) and 32 abstentions (it includes India and China). The resolution, or a call for a "just and lasting peace", that was eventually sponsored by more than 70 countries, demanded an immediate cessation of hostilities, and appealed for accountability at international courts for rights violations and war crimes. Significantly, the sponsors, led by the U.S., its allies, and European Union countries, did not call for peace talks — something Ukrainian President Volodymyr Zelenskyy does not favour at present, given the status quo advantage that lies with Russian forces having laid claim to about one-fifth of Ukrainian territory. Two amendments suggested by Russia's ally Belarus, to replace the term "invasion" with what Russia calls "Special Military Operations", and to call for dialogue immediately, were rejected. As a result, although there is a military stalemate in Ukraine, casualties continue to rise, and western sanctions have not found favour with much of the world, Ukraine and NATO countries called the vote a major victory — much like they had in a similar vote, on March 2, 2022.

In spite of several attempts by the U.S. and the European countries, India abstained, which it has consistently done since last year on any resolution at key UN bodies that has been critical of Russia. In explanations by External Affairs Minister S. Jaishankar at international fora — some of which were reiterated by India's UN envoy on Thursday — the Modi government has asserted its strategic autonomy, citing its traditional relationship with Moscow, its initial concerns of becoming a party to the conflict while Indian students were caught in the middle, stressing that "diplomacy and dialogue" are the only way forward, and claiming that it is required to maintain a "neutrality" of sorts to leave space for mediation. While its decision to reject unilateral western sanctions on Russia and increase trade in fuel and fertilizers with Moscow can be explained by its desire for independent decision making, it is becoming increasingly hard for New Delhi to hold that abstaining from voting at the multilateral stage is a principled stand. It has become very clear that this is indeed a Russian invasion of its smaller, sovereign neighbour, one that has not been halted despite Russia gaining its initially announced strategic goals. Prime Minister Modi's



celebrated statement that “this era is not of war” has not been heeded by President Putin, and it is unclear if Ukraine sees India as an unbiased mediator. India has proven over decades that it will not vote under duress, yet the global and regional leadership that New Delhi claims cannot come from appearing diffident over basic principles of sovereignty and territorial integrity.

RUSSIA SUSPENDS THE LAST REMAINING MAJOR NUCLEAR TREATY WITH THE U.S.

Russian President Vladimir Putin declared on Tuesday that Moscow was suspending its participation in the New START treaty — the last remaining nuclear arms control pact with the U.S. — sharply upping the ante amid tensions with Washington over the fighting in Ukraine.

Speaking in his state-of-the-nation address, Mr. Putin also said that Russia should stand ready to resume nuclear weapons tests if the U.S. does so.

Explaining his decision to suspend Russia’s obligations under the 2010 New START treaty, Mr. Putin accused the U.S. and its NATO allies of openly declaring the goal of Russia’s defeat in Ukraine.

“They want to inflict a ‘strategic defeat’ on us and try to get to our nuclear facilities at the same time,” he said, declaring his decision to suspend Russia’s participation in the treaty.

New START’s official name is The Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms.

Caps to stay

Hours after Mr. Putin’s address, the Russian Foreign Ministry said it would respect the caps on nuclear weapons under the nuclear arms control treaty with the U.S. even though Putin suspended the country’s participation in the pact. Russia also will continue to exchange information about test launches of ballistic missiles per earlier agreements with the U.S., the Foreign Ministry said.

The treaty envisages caps on the number of nuclear weapons and broad inspections of nuclear sites. Mr. Putin said such inspections don’t make sense after the U.S. and its allies declared the goal of dealing Russia a military defeat in Ukraine.

U.S. Secretary of State Antony Blinken deplored Putin’s move as “deeply unfortunate and irresponsible,” noting that “we’ll be watching carefully to see what Russia actually does.”

He said that “we’ll, of course, make sure that in any event we are postured appropriately for the security of our own country and that of our allies,” but emphasised that “we remain ready to talk about strategic arms limitations at any time.”

THE PAST AND PRESENT OF RUSSIA’S WAR IN UKRAINE

The story so far:

A year after Russia launched its invasion of Ukraine, there are signs of escalation everywhere. The West has recently announced the supply of more advanced weapons to Ukraine, deepening its involvement in the conflict. In response, Russian President Vladimir Putin, who has already reinforced Russian positions along the 1,000-km long frontline in Ukraine with hundreds of thousands of troops, announced the suspension of his country’s participation in the New Start treaty, which could trigger a nuclear arms race. Ukraine, with the free flow of weapons from the West, hopes to arrest the Russian advances and begin its own offensive to regain lost land. As the



war is extended, risks of a direct confrontation between Russia and the North Atlantic Treaty Organisation (NATO), both nuclear powers, are also on the rise.

What's the current status of the war?

Russia is expected to launch a new offensive in the coming days. Right now, focused fighting has been going on in some flashpoints along the frontline. For over seven months, PMC Wagner, a private Russian security force with close ties to the Kremlin, has been fighting to take Bakhmut, a city at the cross junction of several key arteries in Donetsk, one of the four Ukrainian regions annexed by Mr. Putin in September. Last month, Wagner took Soledar, a salt mine town in the outskirts of Bakhmut, and several settlements around the city thereafter. As of now, Russians control all major highways into Bakhmut, except one (Chasiv Yar), which Ukrainian troops are using for reinforcement and resupply.

Russians have opened two more fronts, one in Iziium, northwest of Bakhmut in Kharkiv Oblast, and the other in Vuhledar, south of Bakhmut in Donetsk. They are also pushing the frontline in Zaporizhzhia and positional fighting is continuing in Kherson. Ukraine is trying to hold on to the territories until more weapons and trained fighters arrive from the West. It would take a few more weeks before the main battle tanks pledged by Western countries, including Leopard 2 (German), M1 Abrams (American) and Challenger 2 (British), arrive at the battlefield.

Is Russia losing the war?

The answer depends on how you look at the conflict. Given the power asymmetry between Russia and Ukraine, Russian troops' performance in the battlefield was underwhelming. If one looks at Russia's declared goals and what they have achieved in the 12 months of fighting, it's not difficult to see that they are still far from meeting those objectives. Some say Mr. Putin wanted to take Kyiv and install a pro-Kremlin regime. Mr. Putin had said that demilitarisation and de-Nazification were his main goals. His commanders had said, on record, that Russia wanted to take the whole of Ukraine's east and south, which means an arc of territories stretching from Kharkiv in the northeast through the Donbas in the east (which comprises Luhansk and Donetsk) to Odesa, the Black Sea port city in the southwest, turning the country into a land-locked rump. Russia failed to meet any of these objectives.

But at the same time, the war is taking place inside Ukraine, and Russia has taken substantial portions of Ukrainian territories, including Mariupol, the port city that was defended by the Azov Brigade, a neo-Nazi outfit that has been integrated into the regular Ukrainian army. Russia's territorial gains in Ukraine peaked in March 2022, when it controlled some 22% of pre-2014 Ukraine. Since then, Ukraine recaptured some land in Kharkiv and Kherson. But still, Russia controls some 17% of Ukraine and Mr. Putin also managed to secure a land bridge between mainland Russia to Crimea, which Moscow annexed in 2014, that runs through the Donbas and Zaporizhzhia. And with a new offensive, Russia plans to mount more pressure on Ukrainian troops, which also explains why the West is now rushing more weapons to the battlefield.

Was the West's strategy effective?

The West's approach has been two-fold: punish Russia's economy through sanctions and thereby weaken its war machine, while arming Ukraine to counter the Russian offensive. The Western support has played a critical part in Ukraine's resistance and counter-offensive. The U.S. is Ukraine's biggest aid provider — it has pledged military and financial assistance worth over \$70 billion. The EU has pledged \$37 billion and among the EU countries, the U.K. and Germany top the



list. Last year, after Ukraine suffered a series of setbacks in Mariupol, Severodonetsk and Lysychansk, the U.S. promised the delivery of its mid-range rocket systems such as HIMARS. The new weapons helped Ukraine turn around the momentum, but Ukrainian gains froze in December. Now, when Russia is preparing for another offensive, the West is coming to Ukraine's rescue once again, with more advanced weapons, including missile defence systems, armoured vehicles, tank killers, battle tanks and precision bombs. While the approach of arming Ukraine has been effective in at least halting the Russian advances, hurting Russia economically has been a double-edged sword.

Sanctions on Russia, one of the top global producers of oil and gas, hit the global economy hard, worsening an inflationary crisis across the West, particularly in Europe. Russia also took a hit, but it found alternative markets for its energy exports in Asia, redrawing the global energy export landscape. Last year, despite sanctions, Russia raised its oil output by 2% and boosted oil export earnings by 20%, to \$218 billion. Russia also raked in \$138 billion from natural gas, a nearly 80% rise over 2021 — and this was in spite of the European push to cut gas imports from Russia. The Russian economy was estimated to have contracted by 2% in 2022, but, according to the IMF, it is expected to grow 0.3% this year and 2.1% next year. In comparison, Germany, Europe's largest economy, is expected to grow 0.1% this year, while the U.K., Ukraine's second biggest backer, is projected to contract by 0.6%.

What's happening inside Ukraine?

The Russian invasion turned President Volodymyr Zelensky into the face of the Ukrainian resistance. Mr. Zelensky, a former television comedian, was grappling with a host of political challenges when the war began. His approval rating had fallen to 28% and his regime was accused of persecuting the former President, Petro Poroshenko, on treason charges. Corruption was rampant. In Donbas, a civil war between Russian-speaking separatists and the Ukraine army, including the neo-Nazi brigades, had been raging since 2014. But when Ukraine survived the initial Russian thrust and continued to resist the invasion, Mr. Zelensky emerged as a hero for many. He rallied western opinion and aid. He also seized the moment to bolster his grip on power at home.

Eleven opposition parties, including the Platform for Life which had 44 seats in the 450-member Ukrainian Parliament, were banned. Presidential decrees were issued mandating the country's main TV channels to broadcast identical content cleared by government officials. Even churches with links to the Russian Orthodox Church were not spared. Mr. Zelensky emerged politically stronger at home as the war dragged on and the West stood solidly behind him, irrespective of his crackdown on political rivals. But scandals began surfacing recently that maligned the regime. Mr. Zelensky fired a dozen senior officials, including Deputy Defence Minister Vyacheslav Shapovalov, last month over corruption. He now promises that he will clean up the administration. He should also make sure that the pipeline of aid from the West, which is existential for his regime, is not disrupted as the war goes on.

Is there a possibility for a negotiated settlement?

Immediately after the war began, Russian and Ukrainian officials had started talks. According to former Israeli Prime Minister Naftali Bennett, both sides had exchanged several drafts about a potential peace plan in March 2022, but the U.S. and the U.K. staunchly opposed Ukraine reaching any agreement with Russia. Talks collapsed in March. In July, Turkey brokered a deal on taking out Russian and Ukrainian food grains through the Black Sea. Warring parties had also reached



some prisoner exchange agreements. But barring these, talks between the two sides are non-existent. Russia, despite the slow progress of its “special military operation”, remains adamant. Mr. Zelensky recently stated that he would not reach any agreement with Russia making territorial compromises. There is absolutely no push from the West for talks. As the crisis continues, China has stepped in with its own peace initiative, the details of which are not known to the public yet.

For any peace plan to succeed, two complex issues should be addressed — Ukraine’s territories and Russia’s security concerns. Right now, Russia controls swathes of Ukraine’s land and the NATO keeps arming Kyiv, sharpening the existing contradictions. Ukraine, given its dependence on the West, would require clearance from western capitals for any final settlement, which also means that for a lasting solution, Washington and Moscow should reach some kind of understanding. As the war enters its second year, the possibility for such an understanding is very low. The war is set to grind on.

WHY HAVE FRENCH TROOPS WITHDRAWN FROM BURKINA FASO?

The story so far:

On February 19, Burkina Faso announced an official end to the operations led by France in the country. France had signed a military agreement with Burkina Faso in 2018 to achieve stability against the threat of Islamist militant groups. France signed a series of similar agreements with other West African nations, including Mali who terminated the operation in late 2022.

Why is France withdrawing?

For Paris, the military governments in West Africa pose multiple challenges. In February 2022, while announcing the withdrawal of France and its allies from Mali, French President Emmanuel Macron said, “Victory against terror is not possible if it’s not supported by the state itself.” France has also been critical of Russian inroads into Africa. It has accused the Russian private military company Wagner Group for working closely with the military governments in West Africa.

On January 23, Burkina Faso’s military government announced its decision to end the military agreement with France and called on Paris to withdraw its troops within a month. A Burkinabe government spokesperson said that the military government and the country wanted themselves “to be the prime actors in the recapture of our territory,” which was controlled by Islamist militant groups. On January 26, France agreed to withdraw its troops from Burkina Faso.

Why did Burkina Faso end it?

France was asked to withdraw its troops from Burkina Faso months after it pulled out its troops from Mali. The primary reason behind the withdrawal is the failure of its counter insurgency operations in the Sahel region against Islamist groups. Islamist insurgency has surged since 2015 and fuelled two coups in Burkina Faso last year. The violence linked to al-Qaeda and Islamic State groups has killed thousands and forced more than two million to flee their homes in the country.

Secondly, as Islamist insurgency kept intensifying, France’s military presence in Burkina Faso came under scrutiny. After the second coup in September 2022, anti-France protests increased in Burkina Faso with demonstrators demanding French withdrawal from the country. There was also an increasing pro-Russia sentiment. And finally, the ruling military junta of Burkina Faso was looking beyond its traditional allies for support in its counterinsurgency campaign. Dissatisfaction



with the French approach has made other actors including Russia and China more preferable partners to fight insurgency.

Is there Russian involvement?

Russia's engagements in Africa have been under scrutiny for a few years, especially after the resurgence of military governments in West Africa since 2020.

Following Ouagadougou's announcement of the termination of France operations, Burkinabe Prime Minister Apollinaire Kyelem de Tambela termed Russia "a reasonable choice". Simultaneously, Moscow has been courting African countries; in 2023 alone, Russian Foreign Minister Sergei Lavrov visited seven countries in Africa: Angola, Eswatini, South Africa, Eritrea, Mali, Sudan and Mauritania.

What next for France and Burkina Faso?

Paris has accepted the military governments' decision which marks a significant change in its West Africa approach. In Burkina Faso, in the absence of France's troops, the alleged Russian mercenaries may fill the security void, as part of its bid to enhance military engagements in the continent. However, the new developments are unlikely to address the insurgency and the consequent insecurity.

MORE SABRE-RATTLING, MORE ISOLATION: MILITARISATION OF THE SOUTH CHINA SEA

The Philippines invoked the dispute settlement mechanism of the UN Convention on the Law of the Sea (UNCLOS) in 2013 to test the legality of China's 'nine-dash line' regarding the disputed Spratlys. In response, the Permanent Court of Arbitration (PCA) at The Hague decreed in its July 12, 2016 judgment that the line had "no legal basis." China dismissed the judgment as "null and void."

The South China Sea (SCS) is important not just to its littoral countries. It has been a transit point for trade since early medieval times, contains abundantly rich fisheries, and is a repository of mineral deposits and hydrocarbon reserves.

The PCA verdict

The PCA award undermined the Chinese claim. It held that none of the features of the Spratlys qualified them as islands, and there was no legal basis for China to claim historic rights and to the resources within the 'nine-dash line'. The UNCLOS provides that islands must sustain habitation and the capacity for non-extractive economic activity. Reefs and shoals that are unable to do so are considered low-tide elevations.

The award implied that China violated the Philippines Exclusive Economic Zone (EEZ). It noted that China had aggravated the situation by undertaking land reclamation and construction, and had harmed the environment and violated its obligation to preserve the ecosystem. China dismissed the award as "a political farce under the pretext of law."

Given the power equations, the Philippines did not press for enforcement of the award and acquiesced in the status quo. Not one country challenged China, which agreed to settle disputes bilaterally, and to continue work on a Code of Conduct with countries of the ASEAN.



Given that their economic ties with China are deepening, it may appear that the ASEAN countries are bandwagoning with China. In reality, there is growing discontent. While avoiding military confrontation with China, they are seeking political insurance, strengthening their navies, and deepening their military relationships with the United States.

Vietnam has added six Kilo-class, Russian-origin submarines to its navy. France, Germany and the Netherlands, respectively, have supplied Formidable-class stealth ships to Singapore, patrol boats to Brunei Darussalam, and corvettes to Indonesia. Japan is partially funding the upgradation of the Indonesian coast guard. Indonesia and the Philippines are in early stages of exploring procurement of the BrahMos missile from India. The other ASEAN countries that have shown interest are Thailand and Vietnam.

Growing Chinese muscularity in the SCS is visible in the increased patrolling and live-fire exercising by Chinese naval vessels; ramming and sinking of fishing vessels of other claimant countries; renaming of SCS features; and building of runways, bunkers, and habitation for possible long-term stationing of personnel on the atolls claimed by China.

Chinese exploration and drilling vessels compete aggressively with those of other littoral countries in the disputed waters. Petronas has been prospecting for oil in the Malaysian EEZ. A Chinese spokesperson claimed in early June that its own survey vessel in the same area was conducting “normal activities in waters under Chinese jurisdiction.”

The festering regional resentment against China resulted in the unmuting of the ASEAN response to the growing Chinese footprint in the SCS at its 36th Summit on June 26, 2020.

China might have overreached by showing its aggressive hand prematurely. There is a growing chorus of protest against China. Having Vietnam, Japan and the U.S. riled up about its actions is nothing new for China. The Philippines and the ASEAN beginning to protest is new, even if their criticism is restrained. This does China little credit, and points to its growing isolation.

Indonesia protested to China about Chinese vessels trespassing into its waters close to the Nantua islands, towards the south of the SCS. The Philippines protested to China earlier this year about violations of Filipino sovereignty in the West Philippine Sea. It also wrote to the UN Secretary General (UNSG) in March disputing China’s claim of “historic rights in the South China Sea.” Two months later, Indonesia too wrote to the UNSG on this issue. It expressed support for compliance with international law, particularly the UNCLOS, as also for the PCA’s 2016 ruling.

President Rodrigo Duterte said he had not followed up on the PCA judgment because the Philippines could not afford to fight China. Yet, when a Chinese firm bid to develop the Subic Bay, this was disallowed on the grounds that the use of archipelagic waters was exclusively reserved for Filipinos and that foreign investment regulations prohibited foreign equity for the utilisation of marine resources in archipelagic waters. Another recent decision, to extend the Visiting Forces Agreement with the U.S. for six months “in light of political and other developments in the region,” as expressed by the Philippines Foreign Secretary, is a strategic setback for China. Only this June, the Philippines commissioned a beaching ramp on the Pag-Asa Island. A Filipino C-130 landed on its runway, which is being repaired. The Philippines is about to induct its first missile-capable frigate, built in South Korea, into its navy.

A complicating factor for China is Russia’s growing military and economic equities in the SCS. Russia and Vietnam have a defence cooperation relationship, which they are committed to strengthening. China has objected to Rosneft Vietnam BV prospecting within the Chinese defined



'nine-dash line.' Rosneft has also been invited by the Philippines to conduct oil prospecting in its EEZ.

India's relevant options

From India's perspective, foreign and security policy in its larger neighbourhood covers the entire expanse of the Asia-Pacific and extends to the Persian Gulf and West Asia. India straddles, and is the fulcrum of, the region between the Suez and Shanghai, between West and East Asia, and between the Mediterranean and the SCS. The SCS carries merchandise to and from India. It follows that India has a stake in the SCS, just as China has in the Indian Ocean.

India must continue to actively pursue its defence diplomacy outreach in the Indo-Pacific region: increase military training and conduct exercises and exchanges at a higher level of complexity, extend Humanitarian Assistance and Disaster Relief activities, share patrolling of the Malacca Strait with the littoral countries, etc. The Comprehensive Strategic Partnerships that India has concluded with Australia, Japan, Indonesia, the U.S., and Vietnam could be extended to Malaysia, the Philippines, Thailand, and Singapore.

India must also buttress the military capacity of the tri-service Andaman and Nicobar Command. According to one of its early Commanders-in-Chief, Lt. Gen. Aditya Singh, the manner in which the 368 islands, have been neglected "can only be termed as criminal." These have immense geo-strategic value, as they overlook Asia's maritime strategic lifeline and the world's most important global sea lane. In this time of turbulence, India cannot afford to continue undervaluing one of its biggest assets.

NAVY SUBMARINE DOCKS IN INDONESIA

In line with the expanding military cooperation with South East Asian nations, an Indian Navy Kilo class conventional submarine, INS Sindhukesari, docked in Jakarta, Indonesia, for the first time from February 22 to 24.

The submarine, which was on operational deployment, travelled through the Sunda Strait and undertook the maiden docking in Indonesia for Operational Turnaround (OTR), a defence source said. Naval ships regularly make port calls to countries in the region, the source added.

The OTR in Jakarta, over 2,000 nautical miles away from its home base in Visakhapatnam, significantly expands the area operational reach of the submarine arm near crucial shipping lanes and the strategic Malacca Strait. In the past, Indonesia gave access to its Sabang port to Indian Naval ships for operational turnaround.

India has steadily expanded its defence and security cooperation with countries in the region, many of which are engaged in disputes with China in the South China Sea.

In recent years, India has signed logistics support agreements with several countries to enhance reach of military assets.

MEN PAY RISING DOWRIES AS 'BRIDE PRICES' SURGE IN CHINA

A widening gender imbalance in rural China is driving men to pay record dowries known as "bride prices", a practice that has grown so widespread that the Chinese government last week pledged to intervene.



While the bride price, a dowry paid by the groom to the bride's family, has a long history in China, the government fears that the increasing number of single men in comparison to single women has exacerbated the trend. The imbalance is a legacy of decades of stringent family planning restrictions that have also led to China's population shrinking in 2022.

The phenomenon has received so much attention that it has now figured in the Communist Party's first policy document for 2023, released on February 13. As has been the case recently, the document focused on rural issues.

"The document encouraged local governments to formulate norms for changing outdated customs," the report said, noting that while "'bride price' is a traditional Chinese prerequisite for marriage....as a goodwill gesture between the couple and their two families...the 'bride price' has risen from a token amount to very high levels."

Skyrocketing prices

The practice with is, however, deeply ingrained, and the widening gender imbalance is now driving up the "price". According to Chinese media reports, the price can now go up to 200,000 Yuan (around ₹24 lakh). A report claiming that a bride's family in Jiangxi had asked for 880,000 Yuan (around ₹1 crore) had triggered debate about the recent trend, although it was later denied by authorities.

A 2017 survey by Central China Normal University in 267 villages found that there were only 63 single women for 100 single men.

Meanwhile, a growing number of Chinese women and men are choosing to avoid marriage altogether. In 2021, marriage registrations in China fell to 7.64 million, the lowest figure on record since registration numbers began to be publicised starting in 1986.

Those that do marry are also choosing to do so later as well as to have smaller families, denting years-long government campaigns to encourage larger families and stem an ageing crisis in the country.

Last month, the National Bureau of Statistics said that China's population had fallen by 8.5 lakh in 2022, the first decline since the famine in 1961. India is set to become the world's most populous nation this year, overtaking China.



NATION

INDIA'S 'EYES AND EARS' ON THE CHINA BORDER

The ITBP was raised on October 24, 1962 after the Indo-China war. The Central Armed Police Force (CAPF), specialised in border guarding duties and posted at an altitude of up to 18,900 feet, was initially raised with only four battalions. Each battalion in the ITBP, one of the seven CAPFs, typically comprises over 1,300 personnel. They are deployed at 176 border outposts from the Karakoram Pass in the north-west to Jachep La in Arunachal Pradesh in the north-east.

Most forward posts remain cut off from land routes, and temperature at these locations sometimes dips to minus-45 degrees Celsius. The border posts are exposed to high-velocity storms, snow blizzards, avalanches, and landslips.

On February 15, the Cabinet Committee on Security (CCS) approved raising seven new battalions, comprising 9,400 personnel, for deployment in Arunachal Pradesh, where 47 new border outposts and 12 staging camps are under construction. The outposts were sanctioned in January 2020. A sector headquarter for the ITBP was also announced.

The battalions are expected to be raised by 2025-26, increasing the strength of the ITBP from the current 88,000 to 97,000, making it the fourth largest CAPF. Last time ITBP battalions were raised was in 2011. The Arunachal border is another sector where skirmishes with the Chinese PLA have become frequent. On December 9, 2022, in the first incident of its kind after the Galwan clashes, several Indian and Chinese soldiers were injured in clashes at Yangste in the Tawang sector of Arunachal Pradesh.

Specialist battalions

The ITBP was restructured in 1978 to include nine service battalions, four specialist battalions and two training centres. In 1992, Parliament enacted the Indo-Tibetan Border Police Force Act (ITBPF Act) and two years later, new rules were framed.

After the 1999 Kargil war, a Group of Ministers had recommended the government stick to "One Border, One Force". In 2004, the entire China border was assigned to the ITBP. The ITBP, though being the primary force deployed along the China border, works in coordination with the Army in certain locations. The Army has been seeking operational control of the ITBP, which is under the administrative and operational control of the Ministry of Home Affairs, for the past many years, but the government has not agreed to the proposal.

Since the LAC is neither demarcated nor fenced, the ITBP acts as the government's "eyes and ears" to report Chinese activities and violations along and across the border. The ITBP conducts short- and long-range patrols, special missions, and joint patrols to dominate unmanned gaps along the China border. The force has also built 25 strategic roads and another 32 roads are under construction. They also participated in the India-Pakistan wars of 1965 and 1971 and counter-insurgency operations in Jammu and Kashmir from 1990 to 2004. In 2009, the Congress-led UPA government decided to deploy the force in Chhattisgarh to counter left-wing extremism.

The ITBP provides security to various sensitive installations and proximate security cover to important dignitaries. It offers security, communication and medical cover to the pilgrims during the Kailash Mansarovar Yatra in coordination with the Ministry of External Affairs at Lipulekh Pass (Uttarakhand) and Nathu La Pass (Sikkim border).



The ITBP is also the first responder for natural disasters in the Himalayas. In 2021, after a flash flood washed away two hydel power projects — the Rishiganga small hydro project and NTPC's Tapovan project on the banks of the Dhauliganga river in north Uttarakhand, the ITBP rescued 12 workers after a seven-hour operation at the Tapovan site. As the ITBP is a mountain force, the team had all the equipment to carry out the rescue work in such regions.

The ITBP manages eight Regional Response Centres and carries out numerous rescue and relief operations in their area of responsibility as well as other parts of the country. In the past four years, 113 rescue operations were conducted in the Himalayas, where 4,148 people were rescued and 186 bodies were retrieved by the ITBP. It was the lead rescue force during the 2013 Uttarakhand floods, where over 6,000 people were killed.

The ITBP has around 2,100 women personnel and a sizeable number are deployed at the Border Out Posts (BOPs) in the Himalayas.

Foreign deployment

It provided security at the Indian High Commission in Colombo from 1988 to 2005. ITBP commandos were first deployed in Afghanistan in 2002 to secure the premises of the Indian Embassy in Kabul and four consulates in Jalalabad, Herat, Mazar-I-Sharif and Kandahar. They were withdrawn from Afghanistan in August 2021 after the Indian Embassy shut following the takeover of the country by the Taliban.

In 2016, three ITBP personnel were awarded with the top honour of the President's Police Medal for Gallantry and seven others with the Police Medals for Gallantry for thwarting terrorist attacks at Indian Consulates at Mazar-e-Sharif and Jalalabad. In 2004, ITBP personnel were deployed in Gurguri, Minar and Zaranj in Afghanistan to provide security cover to the Indian road construction agency Border Roads Organisation (BRO), which was undertaking the Delaram-Zaranj road project. With the LAC remaining tense after the Galwan and Yangste incidents and India and China ramping up infrastructure in the border areas, the ITBP has come under greater focus. The decision to raise additional battalions, Union Minister for Information and Broadcasting Anurag Thakur said earlier this month, was taken keeping an eye on the need for effective monitoring in the border areas. For its part, the ITBP has always been ready.

INDIANS GO WEST, TAKE UP 'RESIDENCE BY INVESTMENT'

In 2022, over 2.25 lakh Indians renounced Indian citizenship, the highest since 2011, according to data from the Ministry of External Affairs. The data reflect how Indians, especially high net-worth individuals (HNIs), are moving westward in search of better opportunities, healthcare, quality of life, and education, among other factors.

HNIs are those who have wealth of over \$1 million or ₹8.2 crore. According to the Henley Global Citizens Report, there were 3.47 lakh HNIs in India in December 2021. Of these, 1.49 lakh HNIs were found in just nine cities: Mumbai, Delhi, Kolkata, Bengaluru, Hyderabad, Pune, Chennai, Gurugram, and Ahmedabad.

Industry representatives say there has been a surge in requests for residence-through-investment programmes, especially the U.S. EB-5 visa, Portugal Golden Visa, Australian Global Talent Independent Visa, Malta Permanent Residency Programme, and Greece Residence by Investment Programme.



According to the report, India ranked fourth in the world in terms of privately-held wealth, after the U.S., China, and Japan.

Shilpa Menon, senior director of the Indian branch of LCR Capital Partners, a global private investment firm, said: "India is really rising in the ranks among successful applicants for the Portugal Golden Visa, climbing to fourth place [globally] in 2022, from fifth place in 2021, and ninth in 2020." The Portuguese scheme benefits individuals and families, providing them with the right to live, work, study, or retire in Portugal and the rest of European Union. "Since the programme's creation, more than 130 visas have been issued to Indian nationals," she said. Among the qualifying requirements, purchasing property worth Euro 500,000 (₹4.4 crore) in a high-density area and creating at least 10 jobs for Portuguese nationals, are mandatory. Five years after the investment, the individual can obtain a Portuguese passport, making them eligible to visit over 150 countries without a visa. Portugal last week decided to end its Golden Visa Scheme, as per a Reuters report.

The EB-5 visa programme of the U.S., which requires a minimum investment amount of \$800,000 (around ₹6.6 crore) over a period of 5 to 7 years and the creation of 10 permanent jobs for U.S. citizens, is also much sought after. The visa makes an individual eligible for American citizenship after five years.

ARTIFICIAL INTELLIGENCE IS TRANSCRIBING SUPREME COURT PROCEEDINGS: HOW IS IT HAPPENING, AND WHY?

The Supreme Court on Tuesday (February 21) started a first-of-its-kind project to transcribe its proceedings live using Artificial Intelligence (AI). "We'll see how it works, especially in the Constitution Bench matters, because then we'll have a permanent record of arguments. Of course, it helps judges and the lawyers, but it will also help our law colleges. They can analyse how matters are argued...It is a huge resource," Chief Justice of India (CJI) DY Chandrachud said.

What Supreme Court proceedings are being transcribed by AI?

The AI transcript is seen on the live-streaming screen of courtroom number 1, which is the CJI's court. The five-judge Bench headed by the CJI is hearing the case related to the political crisis in Maharashtra.

The Bench had on Friday deferred the decision on the question of whether to reconsider the 2016 verdict of the court in Nabam Rebia vs Deputy Speaker, which had held that the Speaker of the Legislative Assembly cannot decide on disqualification petitions when a motion seeking his own removal is pending.

What is the AI powering the transcription, and how is it doing?

The SC transcription is using Teres, which is a platform used often for transcribing arbitration proceedings. The platform is run by Nomology Technology Private Limited, a Bengaluru based company. "If there are two or more voices at the same time that causes a little bit of a problem," CJI Chandrachud said. "But they have personnel who will clean up the errors by the evening," he added.

The transcript will also be shared with lawyers who argued cases for verification, and is likely to be uploaded on the SC website every evening.



What is the significance of this step?

The transcribing is the second major decision towards making the court more transparent after the SC's decision to livestream its proceedings before Constitution Benches. The suggestion to transcribe hearings was made by senior advocate Indira Jaising in the plea she had filed seeking live telecast of court proceedings.

Are transcripts available for courts in other countries?

In the US, court transcripts are available to litigants and the public. The US Supreme Court provides audio and text transcripts of the proceedings. Many local courts in the US also make a stenographic record of most court proceedings. In the UK, a litigant can ask for a transcript of the court proceedings for a fee if the hearing is recorded.

THE SC ON SEALED COVER JURISPRUDENCE

The Chief Justice of India D.Y. Chandrachud firmly refused the 'suggestions' offered by the government in a sealed cover on the formation of a proposed committee to enquire into the Hindenburg report on the Adani Group. This signals the Supreme Court's acute awareness of how 'sealed cover jurisprudence' has begun to threaten the very credibility of the judicial institution. The decision of the three-judge Bench led by the CJI to keep the government's sealed cover at a distance and do "its own thinking", made it evident that the dialogue on sealed covers was no longer an academic discourse on how to balance the right to know and the need to protect national security.

The "routine" handing over of sealed covers in court by the state, the contents of which are unknown to the other parties, often fighting for life and personal liberty, is eroding public confidence in the 'open court' principle of justice administration. The petitioners are unable to defend themselves, not knowing what they are supposed to defend against. Passing on materials in a sealed cover to the court compels judges to accept the state's version, that too, in cases in which the government's narrative is under challenge.

A history of sealed covers

The origins of sealed cover jurisprudence can be traced to service or administrative cases. Official service records and promotion assessments of individual personnel were received in sealed cover in order to avoid harm to the reputation of officers. The court continues to receive confidential documents in sexual assault cases to protect the identity of survivors. However, recent times have seen the government produce myriad documents, ranging from status reports to 'notes', alleged evidence collected during investigation into terror and money-laundering cases. Even court-appointed committee reports, as in the BCCI case, have been accepted in sealed covers.

Sealed cover documents have been received by the apex court in cases such as the Rafale jets' purchase deal, Assam National Register of Citizens case, Ayodhya title dispute, Gujarat Police 'fake' encounter case, Narendra Modi biopic release case, in the sexual harassment case concerning then Chief Justice Ranjan Gogoi, the electoral bonds case, Bhima Koregaon case and the anticipatory bail plea for former union finance minister P. Chidambaram. In these cases, sealed cover had risen to the status of 'due procedure'.

Rule 7 of Order XIII of the Supreme Court Rules, 2013 provides that the Chief Justice or the court can, through a judicial order, direct any document to be kept confidential in a sealed cover if



publication of the records is “considered to be not in the interest of the public”. Section 123 of the Evidence Act of 1872 provides that the government should give prior permission to a person who wants to give evidence “derived from unpublished official records relating to any affairs of state”.

Only in ‘extenuating circumstances’

However, the Supreme Court is now witnessing a turnaround. The court, during the Media One telecast ban hearing, orally observed that the government should claim “specific privilege” in an affidavit and explain the “extenuating circumstances” to keep documents secret from the other party. The court said the burden would lie on the government to prove that even sharing redacted copies of the records would prove detrimental to national security and public order. The court has made it clear that sealed covers could be used only in a “small exception” of cases.

So far, a tiny clutch of judgments hold that the principles of natural justice and the fundamental right to know cannot be taken away by the state in an “implied fashion or in a casual and cavalier manner”.

The most recent one was in the S.P. Velumani case verdict of May 2022 in which the Supreme Court criticised the Madras High Court’s decision to permit a report to remain “shrouded in sealed cover” when the State had not even claimed any specific privilege. Similarly, the court admonished the Bihar government for attempting to give information in sealed cover in the Muzaffarpur shelter case.

The Pegasus case judgment saw the court underscore that the “Union of India must necessarily plead and prove the facts which indicate that the information sought must be kept secret as their divulgence would affect national security concerns... The state cannot get a free pass every time the spectre of ‘national security’ is raised. National security cannot be the bugbear that the judiciary shies away from”.

NO GAG ON MEDIA ON ADANI-HINDENBURG REPORTING, SAYS SC

Chief Justice of India D.Y. Chandrachud on Friday refused point-blank a request to gag the media from reporting on the Adani-Hindenburg issue until the top court passes an order on the formation of an expert committee.

“No, there is no question of passing any injunction on the media... No gag on the media. We will pass our order, we will do what we have to do,” Chief Justice Chandrachud told advocate M.L. Sharma, who made the request during the mentioning hour.

In the last hearing, the Supreme Court had taken a decisive step towards transparency in the case by refusing to accept “suggestions” from the government on the names and mandates of the committee [proposed to examine Hindenburg report on the Adani Group].

The court had further said that accepting the government’s suggestions in a hush-hush manner would prove detrimental to the credibility of the committee and its future work in the eyes of the nation.

Interest of investors

“There may be an impression created that this is a government-appointed committee which the Supreme Court has accepted even if we have not accepted your suggestions. We want to maintain the fullest transparency in the interest of protecting investors... We will appoint a committee of

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



our own which might be altogether better as it provides a sense of confidence in the process... Otherwise, even if we do not accept two names [proposed by the government for the committee], they (petitioners) will not have any way of knowing," Chief Justice Chandrachud, heading a three-judge Bench, had said categorically in the previous hearing.

Mr. Mehta said he had "no difficulty" with the court's reasoning. He said the government's suggestions were "absolutely objective". It wanted the "truth to come out".

INDIAN OIL RESPONDS TO ADANI PORTS CONTRACT ALLEGATIONS: WHAT HAVE CONGRESS & MAHUA MOITRA CLAIMED?

Intensifying its attack against the Narendra Modi-led government over the Adani Group controversy, the Congress party on February 17 alleged that state-owned Indian Oil Corporation (IOC) was "being made to" import liquefied petroleum gas (LPG) from Adani Ports and SEZ's Gangavaram Port, under an "unfavourable" take-or-pay contract.

In a take-or-pay contract, the buyer or off-taker is required to pay a charge even if it does not take delivery of the contracted goods or utilise the facility to the extent agreed under the deal.

As part of Congress's campaign 'Hum Adani ke Hain Kaun' aimed at the Central government, over allegations of fraud and stock manipulation against the Adani Group after the release of the Hindenburg Research report from January, senior party leader Jairam Ramesh alleged that the Centre was trying to "enrich" the Adani Group through India's public sector.

What are the Congress party's allegations on Adani and IOC?

In a statement addressed to Prime Minister Narendra Modi, Ramesh said, "Now we learn that IOC, which was earlier importing LPG via the government-run Visakhapatnam Port, is instead being made to use the neighbouring Gangavaram Port and that too via an unfavourable 'take-or-pay' contract. Do you view India's public sector simply as a tool to enrich your cronies?"

Ramesh's statement came close on the heels of Trinamool Congress Member of Parliament Mahua Moitra alleging a "scam" in the initial pact signed between IOC and Adani Ports for using the Gangavaram Port for importing LPG, preferring it over the Visakhapatnam Port.

Moitra had tweeted on February 15, tagging Petroleum Minister Hardeep Singh Puri, the Central Vigilance Commission, and the ports and shipping ministry. She tweeted the screengrab of a news report based on the December quarter earnings presentation of Adani Ports, in which the company had said, "MoU signed with IOCL for a take-or-pay contract at Gangavaram Port for building LPG handling facilities."

IOC gave a detailed response to Moitra in a series of tweets the next day, in which it mentioned that it had only inked a non-binding MoU with Adani Ports and SEZ, and there was no take-or-pay liability or any binding agreement "as of now", which many saw as a rejection by IOC of Adani Ports and SEZ's claim.

Adani Ports and SEZ, as well as the conglomerate, has so far neither commented on the allegations nor on IOC's response. The petroleum ministry, and the government at large, have not commented on the issue either.

Referring to IOC's response to Moitra, Ramesh asked, "Did Adani Ports inadvertently reveal the game before it was finalised? Does the signing of an MoU not clearly indicate the direction in which



IOC is being pushed? Does the fact that a take-or-pay contract was at all on the table not betray the fact that Adani was going to be made the primary port for the import of LPG rather than one of many, as IOC has stated?"

What has IOC said on the matter?

IOC, which is India's largest refiner and fuel retailer and one of the biggest and most profitable Public Sector Undertakings, clarified that oil marketing companies (OMCs) do not invite tenders for hiring LPG import terminals, and instead take a call based on their evaluation of the facility's infrastructure "for its suitability for catering to the nearest market at a reasonable cost".

"IOC enters into agreements with various ports on a regular basis to enhance its capability to supply LPG to every nook and corner of the country," IOC said. It also rejected the claim that it was moving business away from government-owned Visakhapatnam Port, saying that the company currently imports around 0.7 million metric tonnes per annum (MMTPA) of LPG through that port, and the port will "continue to be utilised, based on commercials".

The company said that it currently imports LPG from various ports including Kandla, Mundra, Pipavav, Dahej, Mumbai, and Mangalore on the west coast, and Haldia, Visakhapatnam, and Ennore on the east.

WIKIPEDIA FLAGS ENTRIES ON ADANI GROUP

For more than a decade, "sockpuppets" created "puffery" around tycoon Gautam Adani, his family, and the group he helmed by adding non-neutral material and removing warnings from information on Wikipedia, the free Internet-based encyclopaedia has alleged.

Mr. Adani, a first-generation entrepreneur, has lost over \$70 billion in net worth, in less than a month. This followed U.S. short-seller Hindenburg Research accusing the group of accounting fraud, stock price manipulation, and money laundering, allegations that the conglomerate has repeatedly denied, while threatening legal action.

Wikipedia in a February 20 'Disinformation Report', referred to the "con" alleged by Hindenburg Research, to ask: "Did he [Adani] and his employees also try to "con" Wikipedia readers with non-neutral PR versions of related Wikipedia articles?"

It went on to answer the question, "Almost certainly they did."

"Over 40 later banned or blocked sockpuppets or undeclared paid editors created or revised nine related articles on the Adani family and family businesses. Many of them edited several of the articles and added non-neutral material or puffery," it said.

Some of edits on Mr. Adani were by company employees, Wikipedia alleged, listing IP addresses that edited information on Mr. Adani, his wife Priti, son Karan, nephew Pranav, and the group companies.

HINDENBURG REPORT FALLOUT: FIRST TIME, VALUE OF LIC HOLDING IN ADANI COMPANIES DROPS BELOW PURCHASE PRICE

The market value of state-owned Life Insurance Corporation (LIC) shareholding in Adani Group's five big companies has for the first time dipped below its purchase value.



On Thursday, the market value of LIC holding in Adani Group companies (excluding Ambuja Cements and ACC) stood at Rs 26,861.9 crore, almost 11 per cent lower than its purchase value of Rs 30,127 crore.

LIC is the largest domestic institutional shareholder in Adani Group companies and held 9.14 per cent in Adani Ports, 5.96 per cent in Adani Total Gas, 4.23 per cent in Adani Enterprises, 3.65 per cent in Adani Transmission, and 1.28 per cent in Adani Green Energy, in the quarter-ending December 2022.

The state-owned insurer had continuously acquired shares in the tightly-held Adani Group companies over the previous nine quarters till December 2022, even as mutual funds shied away. Since September 2020, LIC increased its shareholding sharply in four of the seven listed Adani Group companies, and in at least one of them almost six-fold.

Shares of Adani Group companies have been under huge pressure over the last one almost one month since US-based Hindenburg Research released a report on the group alleging “brazen stock manipulation and accounting fraud”.

The market capitalisation of nine listed Adani Group companies was Rs 19.18 lakh crore on January 24, a day before the report was released, and is down 61 per cent at Rs 7,36,671 crore Thursday.

Feeling the pinch

LIC said its exposure in Adani Group was less than 1 per cent of its portfolio. For a government insurer, holding public money, and listed in the stock market, its bet on the Group at a time when most mutual funds shied away, will now come under greater scrutiny.

The fact that despite a sharp 62.8 per cent drop in market value of LIC holding in the five big Adani Group companies, it is only now below the purchase value suggests that the state-owned insurer bought into Adani Group when the prices were really low.

The plummeting of Adani Group companies’ share prices has also led to sharp erosion in the wealth of Gautam Adani. From being the third richest on the Forbes rich list a month ago, he is now down to 26th spot with a networth of \$42.2 billion.

RIGHTS AT THE CENTRE

In 1959, the United Nations General Assembly adopted the Declaration of the Rights of the Child, the first charter of its kind ensuring basic rights to all children below 18 years, with these words: “Mankind owes to the child the best it can give.” Yet, as is well-documented, children, because of their vulnerability, often become victims of abuse of power by the very people who are entrusted with their protection. The advancements in digital technologies have helped on many fronts, from registration of births, creating a legal identity to health care, but in its forward march, it should not trample on the rights integral to a harmonious upbringing of a child. Leaning on a child’s fundamental right to privacy, the Supreme Court of India has ruled that children cannot be mechanically subjected to DNA tests in each and every case between warring parents as a shortcut to establishing infidelity. In a petition filed by a man who questioned his second child’s paternity, Justices V. Ramasubramanian and B.V. Nagarathna observed that genetic information sheds light on a person’s essence, going to the very heart of who she or he is. This “intimate, personal



information” is part of a child’s fundamental right, the Court said. Children have the right, it pointed out, not to have their legitimacy questioned frivolously before a court of law.

Directing courts to acknowledge that children must not be regarded as material objects, and that they be subjected to forensic/DNA testing only as a last resort particularly when they are not parties to a divorce proceeding, Justice Nagarathna observed that it is imperative that children do not become the focal point of the battle between spouses. While this is a welcome move, a reading of the 1989 United Nations’ Convention on the Rights of the Child shows that there are miles to go before every child in India is guaranteed “special care and assistance”. Too many childhoods are cut short, and the maxim ‘every child has every right’ often forgotten. India ratified the Convention in 1992 and over the years several laws have been enacted to protect the rights of children though their implementation has often been dodgy, failing to shield them from abuse, violence, exploitation or neglect. The principle of best interest of the child must be at the centre of every aspect of social behaviour and not just in custody disputes.

LAW TO RAISE MARITAL AGE IS NOT ENOUGH AS ENFORCEMENT IS POOR

On Monday, the Supreme Court dismissed a petition seeking to increase the minimum age of marriage of women in India from 18 years to 21 years. The Chief Justice of India, D.Y. Chandrachud, noted that the power to amend the law lies with Parliament.

The Prohibition of Child Marriage (Amendment) Bill was introduced in the Lok Sabha in December 2021. The Bill proposes to raise the age of marriage for women from 18 to 21 years. But after Opposition MPs demanded greater scrutiny of the Bill, it was referred to the Parliamentary Standing Committee. Back then, MPs had raised questions about the enforceability of the law, the Bill’s attack on personal laws, and the poor labour force participation of young women.

The caution exercised by the Supreme Court and the advice of the Opposition MPs to scrutinise the Bill before passing it is well grounded. This is because, despite the legal age of marriage for women being 18 years, almost 23% of women who were aged between 20 and 24 years in 2019-21 married before their 18th birthday. In fact, in the eastern States of Bihar and West Bengal, the share was over 40%. In Assam, Andhra Pradesh and Rajasthan, the share was over 25%. The share was below 10% in Kerala, Himachal Pradesh, Punjab and Uttarakhand, among other States.

Despite such a high share of women marrying before turning 18 years, only 1,050 cases were registered under The Prohibition of Child Marriage Act in 2021, according to the National Crime Records Bureau. Such a small number of cases shows that reportage of underage marriages is negligible, resulting in limited enforcement of the law. These figures may go up in 2023 given the massive crackdown in Assam on child marriages leading to over 3,000 cases.

With the Bill proposing to raise the legal age from 18 to 21, the question of enforcement gets even bigger. In India, over 60% of women who were aged between 25 and 29 in 2019-21 married before their 21st birthday. In the eastern States of Bihar and West Bengal, the share was over 70%. In Andhra Pradesh, Madhya Pradesh, Rajasthan, Telangana and Tripura, it was more than 65%. Even in Goa, the State with the least share of such women, one in five women aged between 25 and 29 in 2019-21 married before turning 21.

So, while laws can be changed, enforcement may remain weak as underage marriages are rarely reported. As concluded in the Data Point titled ‘Education, more than wealth, determines women’s marital age’ (February 15), better-educated women have had more control over when they should



get married for decades now. The Data Point also showed that due to awareness and better negotiation powers, younger women have pushed up their median marriage age by many years compared to their mothers and grandmothers.

ODISHA FOCUSES ON BRINGING BEHAVIOURAL AND SOCIAL CHANGE TO END CHILD MARRIAGE

At a time when Assam is seeing mass arrests for child marriage, attracting criticism for the suddenness of the extreme drive, Odisha has taken a long-term view to bring about social and behavioural change over the past four to five years.

The emphasis has been multi-pronged: all districts track the absence of girls in schools and villages, reporting these numbers to the district administration, who then send representatives for counselling. 'Advika -- Every Girl is Unique' is a platform linking all schemes targeting girls, from 10 to 19 years. Chief Minister Naveen Patnaik has come out with guidelines to declare villages child marriage-free. There are also monetary incentives for particularly vulnerable tribal groups, while individual districts have come up with their own ways of tackling the problem.

In January this year, the District Collector of Subarnapur, Aboli Naravane, wove a Kathak performance into a local celebration. The song 'O Ri Chiraiya', to which she danced, talks about the injustice done to women, and was the theme for Satyamev Jayate, a series by Aamir Khan highlighting social evils. Ms. Naravane's theme was child marriage and sending girls back to school, she tweeted.

"Engaging with the community, especially girls in the age group of 15 to 18 who are dropouts and retaining them in educational institutions is important," said Ms. Navarne, adding that they were addressing the practice of elopement and marrying too. "Prosecution may be an option only when it becomes necessary, particularly against families who support child marriage."

Overall decline

Odisha recorded an overall decline in the prevalence of child marriage: from 21.3% in National Family Health Survey-4 to 20.5% in NFHS-5. However, the southern Odisha district of Nabarangpur had an urgent challenge: data indicated that Nabarangpur had 39.4% girls married under the age of 18 years in comparison to the State average of 20.5% and national average of 23.3%. Only 15.5% women of the district had completed 10 years or more schooling. As many as 50 panchayats were identified as vulnerable on the basis of high incidences of child marriages.

The Odisha police was brought into the picture. The inspectors in charge of the police stations were assigned the job of conducting monthly meetings in the community to discuss dropping out from school and child marriages with representatives of the panchayat, parents, and children. Police stations were made child friendly so that girls would feel empowered to approach the police. The communication has been around a loss of education, the health issues with teenage pregnancies, and the empowerment of adolescent girls themselves. The police also took up Kishori Jagrukta Saptah (adolescent sensitisation week) last year. The police in Jharsuguda followed a similar model, where they adopted 44 villages.

Last year when Odisha found that 43,000 students failed to turn up for the Class X examination, an inquiry was ordered. Child marriage was found to be one of the reasons behind the absence of examinees. In Ranipokhari panchayat of Mayurbhanj district alone, more than 100 children below the age of 18 were found married of, the majority from the Kolha tribe.



Community leaders of 29 caste, tribe, and religious groups were roped in to build awareness about child marriages. UNICEF and ActionAid Association India, a non-profit working with women and children, supported the district administrations to engage with them.

Loud and clear message

All these measures have yielded some promise: community-based organisations Paudi Bhuyan Samaj in Sundargarh, Panabeda Ganda Samaj in Nabarangpur, and Jharia Sahu (Teli) Samaj in Bargarh came up with declarations that they would not allow marriages to be solemnised for girls aged below 18 and bridegroom aged below 21. Though it did not end the age-old practice immediately, the message was loud and clear.

“Over-emphasis on prosecution will take the administration nowhere when the issue is deeply rooted in culture and social norms,” said Ghasiram Panda, a programme manager in ActionAid. In a few cases, arrests have been made during rescue of child brides. The National Crime Record Bureau data indicates that 64 cases have been initiated pertaining to child marriage. But the focus has largely been on bringing about a mindset change.

THE EXPRESS VIEW: PAWAN KHERA’S ARREST WAS WRONG

In its order granting interim bail to Congress spokesperson Pawan Khera, the three-judge bench of the Supreme Court — presided over by Chief Justice D Y Chandrachud — framed the issue perfectly: “... we will protect you, but there has to be some level of discourse”. Just hours after Khera was deplaned at Delhi from a Raipur-bound flight by the Assam police, the apex court ordered his release till Tuesday. Multiple FIRs have been filed against Khera in Assam and Uttar Pradesh for using “objectionable words” against Prime Minister Narendra Modi. It is difficult not to see the arrest over what is at worst a distasteful statement as a way to intimidate the opposition and others who disagree with the government. And it is also important to recognise the court’s legitimate flagging of how casually vitriolic the public discourse has become.

The FIRs and the public spectacle the police created by stopping a plane and then making Khera deboard were gross overreactions. The response to “objectionable” political speech cannot be punitive action. The justification offered by Assam Chief Minister Himanta Biswa Sarma for the state police’s actions is telling — he cited the FIRs filed against him in Telangana over statements he had made regarding Rajiv Gandhi. This sort of whataboutery is now par for the political course. Accused by its detractors of curbing free speech or targeting the Opposition, BJP leaders have often invoked the Emergency. In Maharashtra, an actor was arrested for her post critical of Sharad Pawar.

Khera has apologised. Yet, it’s important to acknowledge the Supreme Court’s criticism — which applies to parties across the political spectrum. Indian politics, over the years, has been a site for wordplay, wit and yes, even the odd insult. But the rise of electronic and social media has led to a form of “debate” where one-upmanship and personal attacks have become the order of the day. It is precisely because the line between wordplay and outright insults is thin that the law and order machinery should not be deployed in a knee-jerk manner. At the same time, abuse and ad hominem attacks by party spokespersons and leaders — as the Supreme Court indicated — should be something that is reflected on, and addressed internally. For, there will always be someone ready with an FIR and a friendly thana set to follow orders.



DISCIPLINE, DISCUSSION

On Monday, Rajya Sabha Chairman Jagdeep Dhankhar directed the Privileges Committee, headed by Deputy Chairman and JD(U) MP Harivansh, to investigate the “disorderly conduct” by 12 Opposition MPs that had led to multiple adjournments during the first leg of the Budget session. All through Prime Minister Narendra Modi’s 85-minute address, the Opposition kept raising slogans, which Sansad TV that does the live telecast of the proceedings blacked out — the camera did not pan towards the Opposition benches. Earlier, acting on a complaint filed by a BJP MP, Mr. Dhankhar suspended Congress MP Rajani Patil for allegedly recording the proceedings on her mobile phone. The Congress cried foul that due procedure had not been followed and that she had not been served a notice giving her a chance to explain her position. Mr. Dhankhar interjected the speech of Congress president and Leader of the Opposition in the Rajya Sabha Mallikarjun Kharge’s 88-minute speech during the Motion of Thanks to the President’s Address several times. The Opposition has protested the Chair’s repeated direction to “authenticate” remarks made during speeches. Mr. Kharge has pointed out that “it would be [an] inversion of the system of government if the opposition members are expected to carry out complete investigation, gather evidence and then raise the matter on the floor of the House”.

Six portions of Mr. Kharge’s speech were expunged from the Rajya Sabha records, while Congress leader Rahul Gandhi’s Lok Sabha speech got 18 cuts. Parliament is the platform where the Opposition has the responsibility to ask questions of the government, which the Council of Ministers has the responsibility to answer. There are parliamentary rules and norms that have evolved over time to achieve this objective. It will be a travesty of parliamentary democracy if the Opposition is penalised for seeking accountability from the government, which in turn is allowed to hide behind rules and obfuscate the issue. It is the government that is in custody of all the information, over which queries are raised in Parliament. The authenticity, or the lack of it, of any assumption that an MP may express in the House must be clarified by the government, which is its duty. It is a strange situation that the government has not responded to the serious allegations that it faces of protecting private business interests at the cost of public interest, while those who are raising the questions face suspension in the name of discipline. Parliamentary discipline must ensure that discussions take place, and the government provides the answers.

A CASE THAT SCANS THE WORKING OF THE ANTI-DEFECTION LAW

A five-judge Bench of the Supreme Court of India is presently hearing a set of cases popularly known as the “Maharashtra political controversy cases”. These cases arose out of the events in June last year, when the ruling Maha Vikas Aghadi (MVA) coalition (the Shiv Sena, the Nationalist Congress Party and Congress) lost power after an internal splintering of the Shiv Sena party. A faction led by Eknath Shinde then joined hands with the Bharatiya Janata Party (BJP) to form the new ruling coalition. The disputes between the various parties have been continuing since then, with the most recent development being an Election Commission of India (ECI) order declaring that Eknath Shinde’s faction is entitled to the party name and symbol.

While questions have been raised about whether the situation is now fait accompli, and whether the Court can “turn the clock back” if it wanted to, the judgment of this case will have consequences not merely for State politics in Maharashtra but far beyond as well. This is because the case raises certain fundamental issues about the working of India’s “anti-defection law”.



The Tenth Schedule, past and present

The anti-defection law was introduced into the Constitution via the Tenth Schedule, in 1985. Its purpose was to check increasingly frequent floor-crossing; lured by money, ministerial berths, threats, or a combination of the three, legislators were regularly switching party affiliations in the house (and bringing down governments with them). The Tenth Schedule sought to put a stop to this by stipulating that if any legislator voted against the party whip, he or she would be disqualified from the house. While on the one hand this empowered party leadership against the legislative backbench, and weakened the prospect of intra-party dissent, the Tenth Schedule viewed this as an acceptable compromise in the interests of checking unprincipled floor-crossing.

Fast-forwarding 40 years to the present day, we find that the working of the Tenth Schedule has been patchy, at best. In the last few years, there have been innumerable instances of governments being “toppled” mid-term after a set of the ruling party or coalition’s own members turn against it. That this is power-politics and no high-minded expression of intra-party dissent is evident from the well-documented rise of “resort-politics”, where party leaders hold their “flock” more or less captive within expensive holiday resorts, so as to prevent the other side from getting at them.

Indeed, politicians have adopted various stratagems to do an end-run around the anti-defection law. Recent examples involve mass resignations (instead of defections) to force a fresh election, partisan actions by State Governors (who are nominees of the central government) with respect to swearing-in ceremonies and the timing of floor tests, and equally partisan actions by Speakers (in refusing to decide disqualification petitions, or acting in undue haste to do so). The upshot of this is that, in effect, the Tenth Schedule has been reduced to a nullity: governments that do not have clear majorities are vulnerable, at any point, to being “toppled” in this fashion.

The Court has a challenging task

This is where the role of the Supreme Court becomes crucial. Disputes over government formation and government toppling invariably end up before the highest court. It must immediately be acknowledged that such cases place the Court in an unenviable position: the Court has to adjudicate the actions of a number of constitutional functionaries: Governors, Speakers, legislative party leaders, elected representatives, many (if not all) of whom, to put it charitably, have acted dubiously. But the Court does not have the liberty of presuming dishonesty: it must maintain an institutional arm’s-length from the political actors, and adjudicate according to legalities, even as political actors in anti-defection cases do their best to undermine legality. This is a challenging task.

But it is a challenge that the Court has, with due respect, not always risen to. This is one of those situations where the proof of the pudding is in the eating: despite the fact that the Court’s intervention has been sought in every one of these cases, and despite the fact that in recent years the Supreme Court has handed down multiple substantive judgments on anti-defection, the toppling of governments remains as frequent as ever. While one may (partially) put this down to wily politicians finding loopholes in Supreme Court judgments, much like they find loopholes in the Tenth Schedule, this is not all there is to the situation: some of these loopholes were easily foreseeable at the time, but were, unfortunately, not addressed by the Court.

An example of this is the Court’s judgment in the Karnataka political controversy, which effectively sanctified resignations as an end-run around the anti-defection clause. But it is the present case (the Maharashtra political controversy) that presents an interesting case study. One will recall that the crisis, so to say, began when a set of legislators from the Shiv Sena rebelled against Uddhav



Thackeray, and were soon ensconced in a resort on Guwahati (with allegations of State political intervention). The Deputy Speaker (there was no Speaker at the time) moved to disqualify the “rebels” who in turn moved the Court, arguing that there was a pending no-confidence motion against the Deputy Speaker, and therefore, as per the Supreme Court’s judgment in Nabam Rebia, he was disqualified from deciding on the disqualifications while it was pending.

The Supreme Court’s vacation Bench stayed the Deputy Speaker’s hand, but in what can only be described as a very curious set of orders, also directed a floor test. The upshot of this was that the “rebel MLAs” (who may or may not have subjected themselves to disqualification) were able to vote in this floor test, and voted to bring the government down (in turn altering a fluid political situation and skewing the balance of power). The new government was swiftly sworn in (by the Governor), and appointed its own Speaker, thus effectively creating a fait accompli with respect to the pending disqualification petitions. To top it all, the Supreme Court’s orders were “interim” in nature, and therefore, no reasons were provided.

In perspective

These orders, the correctness of which is now being considered by the five-judge Bench, albeit in the context of a changed political situation that itself is the consequence of those very orders, reflect how judicial interventions, if not carefully thought through, can hasten the toppling of a government and contribute to turning the Tenth Schedule into a dead letter. If, for example, it is held that a Speaker cannot decide a disqualification petition while under a notice for removal themselves, and that a floor test can be ordered in the interim (by the Governor or the court), the consequences are obvious: a “rebel MLA” can move a notice for removal, incapacitate the Speaker from taking action, and leave rebel MLAs free to bring down the government without consequence.

How the Supreme Court will untangle or cut this Gordian knot in the Maharashtra political controversy is anyone’s guess. But ultimately, the Court will be subject to the verdict of history: the use of money and indeed threats and inducements of prosecution or immunities therefrom to “turn” MLAs is a truth that is evident to all with the eyes to see. The Court’s judgment can act as a counterweight to political power, and infuse a dose of constitutionalism into the politics of government formation and toppling. But equally, the Court’s judgment could make toppling governments even easier for those with the means to do so. Only time will tell which of the two it will be.

THE CURIOUS CASE OF THE DISQUALIFICATION OF A POLITICIAN

The instance where the Kerala High Court, in January this year, suspended the verdict passed by the Kavaratti District and Sessions Court (in an attempt to murder case) in which the then sitting Member of Parliament (MP) of Lakshadweep and Nationalist Congress Party leader Mohammed Faizal P.P. was sentenced to 10 years in jail, has raised an interesting question on his disqualification. The issue is on whether disqualification for conviction is final or whether it can be revoked. This issue can arise whenever a legislator is disqualified. This is not very rare — Samajwadi Party Member of the Assembly Abdullah Azam Khan was disqualified from the Uttar Pradesh legislature just a week ago.



The background

The facts are as follows. Mr. Faizal was convicted by the Kavaratti sessions court on January 11 for attempt to murder, and sentenced to 10 years imprisonment. On January 13, the Lok Sabha announced that he was disqualified as an MP with effect from the date of conviction. On January 18, the Election Commission of India (ECI) fixed February 27 as the date for by-election to that constituency, with the formal notification to be issued on January 31. Mr. Faizal appealed to the Kerala High Court for a stay on his conviction and sentence, which the High Court suspended on January 25.

The High Court said that the consequence of not suspending the conviction is drastic not just for Mr. Faizal but also for the nation. The cost of a parliamentary election would have to be borne by the nation and developmental activities in Lakshadweep will also stop for a few weeks. The elected candidate will have just 15 months to function till the end of the term of the current Lok Sabha. Given these exceptional and irreversible consequences, it suspended his conviction until disposal of the appeal.

Mr. Faizal challenged the ECI's announcement in the Supreme Court of India. On January 30, the ECI said it was deferring the election.

The question now is whether Mr. Faizal will automatically resume his membership of the Lok Sabha. The answer lies in deciding whether the cancellation of disqualification takes effect from January 25 (when the High Court suspended the conviction) or whether the clock can be rolled back to the date of conviction and disqualification.

The specific provisions

The provision for disqualification is given in Article 102 of the Constitution. It specifies that a person shall be disqualified for contesting elections and being a Member of Parliament under certain conditions. These include holding an office of profit, being of unsound mind or insolvent, or not being a citizen of India. It also authorises Parliament to make law determining conditions of disqualifications. There are analogous provisions for members of state legislatures.

The Representation of the People Act, 1951 provides that a person will be disqualified if convicted and sentenced to imprisonment for two years or more. The person is disqualified for the period of imprisonment and a further six years. There is an exception for sitting members; they have been provided a period of three months from the date of conviction to appeal; the disqualification will not be applicable until the appeal is decided. The differential treatment of candidates for elections and sitting members was challenged under Article 14 (right to equality). A Constitution Bench of the Supreme Court, in 2005 (K. Prabhakaran vs P. Jayarajan), decided that the consequences of disqualifying a contestant and a sitting member were different. In the latter case, the strength of the party in the legislature would change, and could have an adverse impact if a government had a thin majority. It would also trigger a by-election. Therefore, it was reasonable to treat the two categories differently. The Court also considered whether in case of a disqualified candidate who is later acquitted, the disqualification would be removed with retrospective effect. It stated that this could not be done as this would require the results of the election to be cancelled. Therefore, the removal of disqualification would be prospective and for future elections.

In 2013, a two-judge Bench of the Supreme Court again considered whether this exception was constitutionally invalid (Lily Thomas vs Union of India). It stated that Article 102 empowers



Parliament to make law regarding disqualification of a person “for being chosen as, and for being, a member of either House of Parliament”.

It interpreted this phrase to mean that whereas Parliament could specify conditions for disqualification, those conditions would apply equally to candidates and sitting members. Therefore, the exception carved out for sitting members was unconstitutional. The judgment further cited Article 101 that if a Member of Parliament was disqualified under Article 102, “his seat shall thereupon become vacant”. Therefore, the disqualification was automatic and had immediate effect if the conditions of Article 102 were met.

The implications

So what happens if the conviction is suspended? Navjot Singh Sidhu was convicted and sentenced to three years imprisonment when he was an MP. He resigned his seat but wanted to contest the election, and appealed for a stay on his conviction. The Supreme Court stayed his conviction in 2007, which removed the disqualification until the appeal was decided. This decision allowed him to contest the election.

This issue was also discussed in the Lily Thomas judgment (2013). The judgment stated that a disqualified person may obtain a stay on his conviction, and cited an earlier 2007 judgment that the disqualification would be removed from the date of the stay order.

So what happens now? The Lakshadweep seat was declared vacant but the ECI, after the stay order, announced deferring the by-election. The Lok Sabha has kept the seat vacant and has not yet re-instated the MP. The reason the High Court granted the stay was to avoid an expensive election. The question is whether the removal of disqualification can be back dated as if it never happened and the election avoided. Or whether the disqualification is removed only from the date of the stay order, and, therefore, the vacated seat be filled only through a by-election. This conundrum arises because the Lily Thomas judgment requires the seat to be vacated immediately upon disqualification whereas the Kerala High Court stay tries to ensure that the MP retains the seat until the appeal is decided. The answer will also have implications for similar cases in the future.

WHAT IS A ‘CORRUPT ACT’ ACCORDING TO THE REPRESENTATION OF PEOPLE ACT, 1951?

On February 20, the Supreme Court observed that no one in India votes for a candidate based on their educational qualifications and, thus providing false information about an electoral candidate’s qualifications cannot be considered a “corrupt practice” under Sections 123 (2) and Section 123 (4) of the Representation of People’s Act, 1951.

What happened in the present case?

In ‘Anugrah Narayan Singh v. Harsh Vardhan Bajpayee’, a bench of Justices K.M. Joseph and BV Nagarathna of the Apex Court heard a plea challenging a 2017 Allahabad High Court ruling, dismissing a similarly titled petition to declare the election of a BJP MLA as “null and void”. However, the Apex Court refused to interfere with the High Court’s order of dismissal.

The petition filed by former Congress MLA Anugrah Narayan Singh said that BJP MLA Harsh Vardhan Bajpayee committed a “corrupt practice’ under Section 123(2) by interfering in the free exercise of electoral rights of the voters by not disclosing his liabilities and correct educational qualifications in his affidavit of nomination. It also argued that a “corrupt practice” under Section



123(4) was committed by Bajpayee in publishing a false statement of fact about his character and conduct to influence the outcome of his election, knowingly.

However, Justice Raj Beer Singh of the Allahabad High Court held previously that the “inaccuracy or concealment regarding educational qualification of the respondent did not amount to unduly influencing the voters, as the defect in disclosure was not of substantial character that could have materially prejudiced the prospects of the election, for it to be termed as a corrupt practice within the meaning of Section 123 of the Representation of People Act.”

What are ‘corrupt practices’ under the RPA, 1951?

Section 123 of the Act defines ‘corrupt practices’ to include bribery, undue influence, false information, and promotion or attempted promotion of “feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language” by a candidate for the furtherance of his prospects in the election.

Section 123 (2) deals with ‘undue influence’ which it defines as “any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person, with the consent of the candidate or his election agent, with the free exercise of any electoral right.” This could also include threats of injury, social ostracism and expulsion from any caste or community. Moreover, convincing a candidate or an elector that they will become “an object of divine displeasure or spiritual censure” will also be considered an interference “with the free exercise of the electoral right of such candidate or elector.”

Section 123 (4) extends the ambit of “corrupt practices” to the intentional publication of false statements which can prejudice the outcome of the candidate’s election.

Under the provisions of the Act, an elected representative can be disqualified if convicted of certain offences; on grounds of corrupt practices; for failing to declare election expenses; and for interests in government contracts or works.

What practices has the court held as corrupt practices in the past?

In 2017, a seven-judge constitution bench of the apex court headed by former Chief Justice TS Thakur in ‘Abhiram Singh v C.D. Commachen’ held that an election will be annulled if votes are sought in the name of a candidate’s religion, race, caste, community, or language, as per Section 123 (3) which prohibits the same.

However, in the dissenting opinion, CJI DY Chandrachud along with Justices UU Lalit and AK Goel said, “To hold that a person who seeks to contest an election is prohibited from speaking of the legitimate concerns of citizens that the injustices faced by them on the basis of traits having an origin in religion, race, caste, community or language would be remedied is to reduce democracy to an abstraction.”

In 1994, the Supreme Court’s ruling in ‘SR Bommai v. Union of India’, which otherwise held secularism to be a part of the ‘basic structure’, the court said, “whatever the attitude of the State towards the religions, religious sects, and denominations, religion cannot be mixed with any secular activity of the State.” The encroachment of religion into secular activities is strictly prohibited, the court stated while adding that the same is clear from sub-section (3) of Section 123 of the Representation of the People Act, 1951. However, even as far back as 1955, the Apex Court in ‘Jamuna Prasad Mukhariya v. Lacchi Ram’ upheld the constitutional validity of Section 123 (3).



More recently in 2022, the top court directed a three-judge bench to look into prayers for reconsidering its 2013 judgment in 'S. Subramaniam Balaji vs State of Tamil Nadu', where the court held that promises of freebies cannot be termed a corrupt practice. However, the matter is still yet to be decided.

BATTLE FOR THE SENNA

The faction of Maharashtra Chief Minister Eknath Shinde has, at least for now, won the battle for the Shiv Sena legacy, with the Election Commission of India (ECI) allotting the party name and the bow and arrow symbol to it. The ECI overruled the plea by the other faction led by former Chief Minister Uddhav Thackeray to withhold the decision until the Supreme Court of India decides on a set of interlinked questions related to the split in the party, that led to Mr. Thackeray losing the CM's chair to Mr. Shinde in June 2022. 'The 'test of majority' principle applied by the ECI went in favour of the Shinde group which has 40 MLAs and 13 MPs, compared to the 15 MLAs and five MPs on the Thackeray side. The Shinde group represented significantly more voters than the Thackeray faction, among those who voted for the party in the last elections, the ECI concluded. The ECI decided not to go into the 'test of party constitution', a second touchstone applicable in such situations, in an indictment of Mr. Thackeray, who made changes to the Sena constitution unilaterally and self-servingly. The ECI decision is a setback to Mr. Thackeray who is struggling hard to retain control of the party founded by his father in 1966.

The Court is scheduled to start hearing on petitions by both camps that claim to be the real Shiv Sena, from February 21 onwards. Whichever faction is accepted to be the real Shiv Sena would have the authority to coerce legislators through whips, as in provisions of the anti-defection law. The Shinde faction argues that the Chief Minister took control of the party following an internal rebellion, and as per majority desire; and nobody has defected, as is being accused by the Thackeray faction. The Court is also examining whether a presiding officer, whose legitimacy is itself under a cloud, could go on to determine the disqualification of legislators under the anti-defection law. Considering that these questions will be argued in the highest court in the coming week, the ECI could have waited. It is not likely that the ECI's decision on the name and the symbol will also be raised in court. This legal tussle apart, the real combat between the two factions is for the popular base. On this count too Mr. Thackeray appears to have ceded ground to Mr. Shinde who is expanding his hold over cadres and networks. Evidently, Mr. Shinde's political alliance with the Bharatiya Janata Party is more palatable to party workers, who have been fed on high doses of religious extremism and regional fanaticism over the years, than Mr. Thackeray's opportunistic experiments with the Congress and the Nationalist Congress Party.

60% OF INDIA'S VOTERS LINKED AADHAAR TO VOTER ID: RTI

Over 60% of India's 94.5 crore voters have linked their Aadhaar to their voter IDs, the Election Commission (EC) disclosed in a Right to Information response obtained by The Hindu. The total number of voters who have linked their Aadhaar is 56,90,83,090.

Tripura, which went to the polls last week, had the highest rate of Aadhaar linking; over 92% of voters in the State have provided their Aadhaar details to the Election Commission.

Some of these voters may have provided documents other than Aadhaar, such as PAN, driving licence or passport, to fill Form 6B, which the EC introduced last year. However, the form primarily demands Aadhaar, and electors can only provide an alternative document after declaring that they



do not have an Aadhaar. The Election Laws (Amendment) Act, 2021 was passed to de-duplicate electoral rolls by allowing election authorities to collect the 12-digit number from voters.

The per-State percentages given here are based on total voter enumerations released by the States and Union Territories in the past three years. After Tripura, Lakshadweep and Madhya Pradesh occupy the second and third spots, respectively, with over 91% and 86% of voters having provided the number.

Voters in the southern States have not provided their Aadhaar in such proportions, though they are above the national average.

Andhra Pradesh and Karnataka both fell shy of 71%, whereas the number stands around 63% and 61% for Tamil Nadu and Kerala, respectively. The State with the lowest Aadhaar registration by voters is Gujarat, where only 31.5% have linked the document to their voter ID. Less than 34% of voters in the national capital had their Aadhaar linked.

WHY THE CASTE SURVEY IN BIHAR WORRIES THE BJP

Ever since Bihar began its caste count in January, questions have been raised on whether the exercise is being conducted only for political gains, given that the Lok Sabha elections are just 16 months away, or whether it will prove useful for the social and economic development of the Other Backward Classes (OBC). Some people have asked why this exercise is even needed in Bihar. Let us examine these questions.

The need for numbers

Whatever the motive of the Nitish Kumar government, is an undeniable fact that we need data. Without numbers, neither can political parties put forth their arguments for the need of certain policies or quotas convincingly, nor can the government effectively provide support through policies and programmes for specific communities. This is why a census is essential. It is the best way to count the number of people belonging to a community and determine their socioeconomic status (though this particular survey may not be officially called a census as the census can only be conducted by the Central government every 10 years).

Some people also wonder whether there is any logic in conducting this exercise when the Central government is averse to it. There is no harm — if nothing else, it will at least put to rest all the speculation about the share of OBCs in Bihar's total population. It is numbers that give concrete meaning to vague expressions or speculations. When someone says 'young' or 'old', they are not being specific. 'Young' could mean below 10 years or below 18 years and 'old' could mean above 60 years or above 80 years. Similarly, when the OBC population is described as 'very large', it leads to disputes about figures. The census is the only way of arriving at a reliable estimate.

The charge that the timing of the exercise indicates that it is politically motivated may not be true as Mr. Kumar has always supported a caste-based census. When this issue was being debated within the National Democratic Alliance, of which he was then a part, Mr. Kumar was the dissenting voice. He even urged the Central government to "reconsider" its position against the exercise.

While the first phase of the survey was completed in January and we will have to wait until May for the entire exercise to be completed, it cannot be denied that this survey will have political implications. By conducting this survey, the Janata Dal (United)-Rashtriya Janata Dal government



has sent out a clear message that it is interested in addressing the social and economic backwardness of the OBCs. The two parties are sure to reap some electoral dividends from this, especially since both have sizeable support among OBC voters. Through this exercise, the RJD and the JD(U) have provided some hope to the OBCs that their plight can be improved. It would not be surprising if parties such as the Samajwadi Party (SP) and the Biju Janata Dal, which are also splinter parties of the Janata Dal, initiate this process in their States if they are in power, or put pressure on their State government to conduct the census.

The BJP's opposition

The expected gains could have been minimised if the Bharatiya Janata Party (BJP) had not vehemently opposed the caste census when the issue was debated. The BJP's opposition to this exercise has only led to doubts in the minds of a large section of OBCs. They do not understand why the BJP is so staunchly opposed to this exercise. This has led to speculation of whether the Central government wants to hide certain facts and numbers.

It is unclear why the BJP is opposed to the exercise given that it has made huge inroads into the OBC community, especially the lower OBC voter base, across the country. Evidence from surveys by Lokniti-Centre for the Study of Developing Societies shows that the BJP got 44% of the OBC votes in the 2019 Lok Sabha elections compared to just 22% in 2009. The caste census initiated by the Central government would have only given positive signals to the OBC community.

Perhaps there are other compulsions. The BJP's central leaders feel that the demand for a caste census in the State is an attempt to revive Mandal politics. Mandal politics gained centrality in the mid-1990s, especially in Uttar Pradesh and Bihar, and brought about a fundamental change in OBC politics. There was a dramatic mobilisation of OBCs. The BJP then was struggling to build its own narrative until senior leader L.K. Advani launched his famous Rath Yatra to counter OBC mobilisation.

However, the BJP leadership needs to realise that the BJP of today is very different from the BJP of the 1990s. Today, even nine years after assuming power at the Centre, it has a much broader support base among all the communities, including the OBCs, compared to the past. Many OBCs have deserted parties like the SP and RJD and supported the BJP. A caste census by the Central government would not damage the nature of the BJP's support base significantly.

IN DRY BIHAR, MORE WOMEN NOW GET INTO ILLEGAL LIQUOR DELIVERY

Divya Kumari (name changed to protect identity) steps out of her hostel in Patna with two bottles of a single malt whisky strapped to her body. She waits for a call that tells her there are no police personnel on the road from her hostel to Kankarbagh, where she is making the alcohol delivery.

Once there, she calls the man she had had a conversation with. He calls the client, who opens the door and receives the liquor. There is a quick QR code scanning process and transfer of money. Ms. Kumari has made her delivery for the day. She will get ₹5,000 for this, ₹2,500 for each bottle. Her work is done only in the daytime, when the police guard is down.

Across 'dry' Bihar's 38 districts, 15,831 women, from April 2016 — when prohibition was introduced — to December 2022, have been arrested on charges of violating the law. This is according to official data released by the State's Prohibition and Excise Department exclusively to The Hindu. The total arrests made during the same period are 5,17,419, including bootleggers and consumers.



“The major concern is that the numbers [of women bootleggers] are increasing every passing year. Initially, the number was less than 100 a year, but now it has touched more than 1,000,” a senior official of the Excise Department said.

Ironically, Chief Minister Nitish Kumar had banned the trading, supplying, storing, and consumption of liquor in the State following appeals from women.

On the ‘job’

Women bootleggers have distinct advantages in the job, as they get paid up to 50% of the cost of the bottle while men usually get about 25%. Women are less likely to get caught too, and so are in greater demand. “Female bootleggers are more trustworthy. Many times, male bootleggers run away with the consignment,” says a person running an illegal liquor operation in Patna.

ALDERMEN ALTERCATION

The Supreme Court has rightly shot down the brazen and legally untenable claim that nominated members of the Municipal Corporation of Delhi (MCD) may be allowed to vote in the election of its Mayor. The Bharatiya Janata Party (BJP) sought to bend the rules to allow the 10 aldermen, nominated by the Lieutenant-Governor, to vote in the election, despite the law limiting the process to elected Councillors. That a question concerning a mayoral election should engage national attention is due to the political acrimony between the ruling BJP at the Centre and the Aam Aadmi Party (AAP), which runs the elected regime in the National Capital Territory of Delhi. The BJP sought to interpret the relevant provisions in the Constitution and the Delhi Municipal Corporation Act in such a way that the specific bar on nominated members voting in “meetings” of the corporation should not be applied to its first meeting, at which the Mayor and Deputy Mayor are elected. It takes a particularly perverse political imagination to argue that “meetings” do not include the “first meeting”. Three attempts to hold the mayoral election, following the MCD polls that took place in December 2022, were stalled by clashes between AAP and BJP councillors over this question. The verdict vindicates the position of AAP, which has 134 councillors in the 250-member Council, against the BJP’s 104.

It is unfortunate that before the Court, the Lt. Governor also took the questionable political stand that the restriction on the right to vote in Article 243R(2) of the Constitution and the proviso to Section 3(3)(b)(i) of the Act was limited to regular meetings, and not to the first meeting of the Council. The Court rejected the argument, noting that the law provides for the nomination of 10 people “with special knowledge and experience in municipal administration”, but without any voting right. In keeping with the Court’s order, Lt. Governor V.K. Saxena has now approved February 22 as the date for the election of the Mayor, Deputy Mayor and six members of the Standing Committee. Last year, Parliament passed a law to merge the three corporations in Delhi into a single entity, a decision criticised for reversing the trend of having compact local bodies for better delivery of civic services. Delhi’s lack of statehood is a source of conflict between the Centre and the elected regime in the capital territory, but the political protagonists should not allow Delhi’s administrative structures to be plagued by the tussle. The core message from a Constitution Bench judgment of 2018, that elected bodies should not be undermined by unelected administrators, is yet to hit home.



WHAT IS DELHI GOVERNMENT'S FEED BACK UNIT (FBU), UNDER SCRUTINY FOR 'POLITICAL ESPIONAGE'?

The Ministry of Home Affairs (MHA) has given the Central Bureau of Investigation (CBI) its nod to prosecute Deputy Chief Minister Manish Sisodia in a prevention of corruption case related to a 'Feed Back Unit' (FBU) created in 2015.

The CBI had sought sanction to prosecute Sisodia, who presides over the Delhi government's vigilance department. It was under this department that the 'extra-constitutional, extra-judicial Intelligence Agency' manned by retired intelligence, police and paramilitary officials armed with hidden cameras to gather 'actionable feedback' on the goings-on in government departments – and 'do trap cases' where necessary – came up.

The allegations against Sisodia also pertain to the diversion of government funds allocated to this unit under the 'Secret Service Fund' which financed the unit alleged to have carried out illegal surveillance on the Aam Aadmi Party's political opponents, bureaucrats and members of the judiciary, among others.

What is the Feed Back Unit; is it still operational?

Setup in September 2015 with approval from the Delhi Cabinet of Ministers, the 'Feed Back Unit' was tasked with gathering 'relevant information and actionable feedback' regarding the working of government departments, autonomous bodies, institutions and entities under the jurisdiction of the Delhi government. Its mandate also included conducting sting operations, or 'trap cases', by its personnel, dubbed intelligence 'assets', on 'targets' or subjects – mainly individuals – under the Secretary of the Vigilance department but the 'direct control of the Chief Minister's Office.'

In a note to the Delhi Chief Secretary, Lieutenant Governor Vinai Kumar Saxena termed it "an extra-constitutional/extra-judicial body" on lines of a private intelligence agency, answering to none but a single individual. The LG said it was an "extraneous and parallel covert agency" with overarching powers of 'snooping and trespass' without any legislative, judicial or executive oversight whatsoever.

The unit became functional and began incurring expenditure for 'operations' in February 2016. A provision of Rs 1 crore was set aside for 'Secret Service Expenditure' for the unit in the Delhi government's budget for the Financial Year 2016-17. There is no clarity on whether the unit is still functional.

What are the charges against the FBU?

It is alleged that the FBU was a "covert body aimed at targeted espionage" meant to "camouflage clandestine political objectives" and operate without "any administrative control or oversight". The FBU is said to have refused the Secretary (Vigilance), who was the administrative head of the FBU, copies of the reports generated by it exhibiting "blatant disregard of laid down procedures" and the general opacity in its workings.

It was, according to the LG's observations, aimed at "surreptitiously creating an infrastructure for snooping/eavesdropping" in the capital, running, in effect, "a parallel system of illegitimate intelligence gathering infrastructure" for gathering political information on adversaries of the party in power and "countering the legitimately established Security/ Intelligence infrastructure of the Country" thus becoming "a potent tool for dangerous misuse".



BHIWANI MURDERS: POLICING THE POLICE

AT least three persons named in the FIR for the alleged murder of two men from Rajasthan last week were reportedly working as informers for Haryana police, an investigation by The Indian Express reported Tuesday. Five FIRs filed by the Haryana police state that these men had flagged alleged incidents of cow smuggling, a penal offence as per the Haryana Gauvansh Sanrakshan and Gausamvardhan Act, 2015, and even accompanied the officials in tracking down the alleged offenders and helped the cops in making arrests. Police officials have admitted that these men were cow vigilantes and have been tipping the police about alleged smugglers. The association between vigilantes and the government is not informal as the police seem to suggest. The Haryana government, in 2021, had formalised the involvement of cow vigilantes in law enforcement by notifying a special cow protection task force, in which members of local gau rakshak committees were included. The gruesome murder of Junaid and Nasir in Bhiwani, Haryana puts the spotlight on the state government's cow protection agenda and the impunity enjoyed by vigilante groups.

Of course, informers are a part of every police machinery. However, they need to function under strong checks and balances, their role defined and, more importantly, circumscribed by the police. In Haryana, however, the FIRs point to a disturbing blurring of the line. Between the accused and the informers, between vigilantism and information gathering, even between police and the informers. Vigilantes have been allowed to become informers and empowered by state fiat, to even turn enforcers. This is nothing but a subversion of the rule of law. This pattern is more evident in hate crimes, alleged cow slaughter, including the current campaign against inter-faith marriage where non-state actors — gau rakshaks to romeo squads to neighbours and even relatives — are encouraged to become a part of the state machinery to enforce ideology-driven concerns. Networks of vigilantes are encouraged to rat on and flag suspected violations of what are clearly ideologically defined norms. This has fostered a climate of mistrust and exclusion and facilitated mob attacks, assault, and even murders. In many instances, these informers-turned-perpetrators have been felicitated by the society and public representatives for their criminal activities. As the Supreme Court has kept underlining, regrettably to little effect, this breakdown of constitutional norms needs urgent redressal.

The Bhiwani deaths need a thorough probe, the law needs to take its Constitutional course. The Haryana and Rajasthan police, both reporting to two different political masters, need to know that they have one common rule of law to answer to. Now that the identities of the informers are out, the police cannot and should not let them hide behind their ideology or their role as police helpers. A crime is a crime is a crime. Haryana has been working to build a reputation as a vibrant state of opportunity, global education hub, empowering girls and women in sports and businesses and building world-class infrastructure to incubate business and technologies. Cracking the case of two men being charred in a vehicle and holding the guilty accountable is the least the state can ensure to prove its commitment to the rule of law — a foundational tenet of governance.

THE EXPRESS VIEW: SLIPPING IN PUNJAB

The capitulation of the Punjab government to a radical Sikh leader who openly declares that he follows in the path of Jarnail Singh Bhindranwale, the Khalistani preacher killed during Operation Bluestar, does not augur well for the state. Unlike in Delhi, the ruling Aam Aadmi Party in Punjab has control over every instrument of government to preserve law and order. Bafflingly, it surrendered to an armed mob that stormed a police station in Ajnala, demanding the release of a man arrested in a kidnapping case. Senior police officials gave in to the demand during



negotiations with the mob, led by one Amritpal Singh, who heads an organisation called Waris Punjab De, set up by the controversial Deep Sidhu. The government's failure to enforce the rule of law can only embolden elements who want to create unrest and chaos in Punjab in order to breathe life into a discredited secessionist movement. The public delivered no bigger message on this than the rejection of AAP in the 2017 election for just the bare hint of an association with Khalistani elements. The people of Punjab know too well how much blood was spilled during the violent 1980s, and they do not want a rerun. The government's cave-in to the mob suggests that Chief Minister Bhagwant Mann has not read the mood correctly, and continues to harbour the mistaken belief that pandering to extremists might earn the AAP some brownie points.

The sudden rise of Amritpal Singh is both mysterious and ominous. Said to be a truck driver in Dubai, the man at the centre of the fracas arrived in Punjab dressed like Bhindranwale after Sidhu's death and took over the reins of organisation — reportedly to the surprise of Sidhu's family members — and has managed to gather a following since then with his radical talk. The Punjab government should ask the Centre to carry out a full check on his antecedents in Dubai. The Centre, sharp to spot a Khalistani threat on distant shores, has been surprisingly easy-going about Singh even after he issued an apparent death threat to Union Home Minister Amit Shah.

Sidelined for years, radical elements in Punjab have been trying to make a comeback over the last decade, trying to ride on public disaffection with mainstream regional and national political parties. The uptick in violent incidents in the state since 2015, and the welter of events abroad to mobilise the Sikh diaspora behind the Khalistan movement show that these are concerted efforts. Those behind them are using emotive issues — the incidents of desecration of the Guru Granth Sahib — and Punjab's economic dead ends to drum up support for a lost cause. There is no room for complacency or political division on this. The state and the Centre must put aside their differences, and stand together to send out a strong message that anyone who dreams of returning Punjab to the 1980s will be dealt with under the relevant laws.

REDUCING ARMY PRESENCE IN J&K HINTERLAND: A THAW IN THE VALLEY

It is welcome that a discussion has begun on pruning the presence of Army troops in civilian areas in the hinterland of Jammu and Kashmir. Excluding paramilitaries, the number of Army soldiers in J&K is said to be in the region of 1.7 lakh. This number includes the soldiers posted along the 740-km Line of Control with Pakistan. The Army went into J&K in the 1990s, at a time when the Valley was engulfed by militancy and terrorism, and the police force of the erstwhile state was not adequately equipped to handle what was then a violent secessionist situation with cross-border ramifications. Stationing soldiers indefinitely to keep a check on civilians is not good for the Army or for the people. With the Union Home Minister claiming "a big reduction" in the number of terrorist incidents, and all statistics pointing to a drop in the number of terrorists as well as terrorist recruitment, the thinning of security forces has to be the logical next step. It has been proposed that the CRPF can fill in for the Army.

The proposal — centred on thinning out the presence of the Rashtriya Rifles, a force raised by the Army specially for counter-insurgency duties in Kashmir — is said to be in an advanced stage of consideration. In the year of its G20 presidency, the move could certainly help Delhi counter the international description of Kashmir as the "world's most militarised region". But beyond the optics, the heating up of the Line of Actual Control across sectors at a time the Army has adopted a recruitment plan for a leaner force means that deployment has to be rationalised. Since 2020, when the Ladakh standoff began, the Army has been trying to tailor the deployment along the LoC for the new manpower requirements on the LAC. Indeed, some RR troops were pulled out of J&K



and sent to the LAC. The February 2021 recommitment by the Indian and Pakistan armies to the LoC ceasefire has certainly helped the Indian Army, with the guns silent on this front for almost exactly two years now, but there is no telling how long this may last.

Despite the statistical drop in violence, the attacks over the last year show that the security situation in J&K is far from resolved, and this should be kept in mind as the government chalks out the shift. A good start for troop thinning would be in areas with low violence levels. The J&K police must also put in place a regular crime control mechanism with emphasis on investigations, which may have a salutary effect against terrorist activity. The ultimate goal in J&K, however, is political empowerment, and for this, the government must make plans to hold assembly elections at the earliest.

RPF'S FACIAL RECOGNITION SYSTEM PILOT ON TARGET IN 96% OF CASES, SAYS ITS CHIEF

A pilot project implemented in Bengaluru using 30-odd high-quality CCTV cameras and software tech has been successful in tracking "wanted" people and issuing alerts to the RPF. "We have found that the facial recognition systems are very robust, even if a person is veiled or wearing a mask. If we have a matching photo on our wanted list, the system will capture any visible feature like the cheekbones or eyes and issue alerts," Mr. Chander explained.

To test the tech, the RPF used masked decoys and received matches in 96% of the cases. "There are already CCTVs in 861 stations. Also, 5,668 coaches have CCTV cameras installed inside. We now need to upgrade technology at these locations to extract quality feed," he said.

Nirbhaya Fund

While the RPF had the mandate of running the pilot experiment in Bengaluru, it does not currently have a separate capital expenses budget head to fund the proposal. "Hence the proposal has been moved from the Railways to the Ministry of Women and Child Development to approve budget from the Nirbhaya Fund for the purpose," said Mr. Chander.

There is an urgent need for the Railways to beef up technology for securing its humongous porous infrastructure as the RPF is reeling under a deficiency of human resources, he said, adding, "Of 74,719 sanctioned posts, up to 65,862 are filled, rest of the 8,857 posts are lying vacant. We have nearly 1,700 to 1,800 personnel retiring annually and recruitment cycles are not regular."

On top of the RPF's agenda is dealing with a dual issue of tackling child and drug trafficking.

TWITTER REMOVING BASIC SAFETY FEATURE FOR NON-BLUE USERS: CONCERNS AND ALTERNATIVES

Starting March 20, Twitter will require users to pay a monthly fee for a very basic safety feature. The company said it will disable SMS-based two-factor authentication, a popular way among Twitter users to secure their accounts, for people who have not subscribed to Twitter Blue. The move has been slammed by experts, who say this is tantamount to blackmail and would end up hurting users.

Two-factor authentication is an extra layer of security for online accounts. Instead of just logging in using a password, it allows users to set up an additional step – through a code or a security key.



Online security experts have criticised Twitter's latest step to remove SMS-based authentication for a large section of its users, and have called for regulatory scrutiny over the move.

Why Twitter is removing SMS authentication

The narrative that Musk-led Twitter is trying to establish about shelving SMS-based two-factor authentication seems inconsistent. In a blog post, the company said that "phone-number based 2FA be used – and abused – by bad actors". However, in the same breath, it added that only Twitter Blue users – a subscription priced at around Rs 900 per month in India – will be allowed to use the safety feature.

It is unclear why Twitter would allow a section of its users – who pay a monthly fee for essentially buying a verification mark – to have access to a safety feature which the company says is abused by bad actors.

In fact, Twitter's own data shows that SMS-based authentication is the most popular way for users to secure their account, presumably because of its convenience. According to the company's last transparency report, around 2.6 per cent of active Twitter users had enabled two-factor authentication, of which more than 74 per cent opted for SMS-based authentication.

Musk, who fired nearly half of the company he bought in October last year, also hinted that the move could be yet another cost-cutting exercise. Responding to a user's tweet on the new policy, he said, "Telcos Used Bot Accounts to Pump 2FA (two-factor authentication) SMS," and that the company was losing \$60 million (roughly Rs. 490 crore) a year "on scam SMS".

Experts have labelled Twitter's move as "blackmail" and "dumb" and have called for regulatory intervention, including Congressional hearings in the US.

The alternatives to SMS authentication

It is important to note that SMS-based two-factor authentication is not the safest method to secure an account. SMS messages are not encrypted and as a result, one-time passwords generated through text messages are susceptible to hacking through various methods. Attackers can also clone or swap a user's SIM cards to access OTPs. However, it is much safer, and perhaps the easiest way to secure an account compared to a basic login through a simple password, which according to Twitter's data is what a significant majority of its users are currently doing.

Apart from SMS authentication, there are two other – and far more secure – ways of enabling two-factor authentication on Twitter. One is to use a third-party authenticator app, and the other is to use a physical security key. The former is used by close to 29 per cent of the users who have enabled 2FA, and the latter is used by only 0.5 per cent of them.

The next easiest way to enable 2FA is to use Google's authenticator app, which is available both on Android and iOS. Once a user has selected 2FA using an authenticator app, they need to log-in to their account through the web after which it will generate a QR code. They then need to scan this QR code through their authenticator app on the phone after which it will generate security codes for logging in.

One thing to keep in mind here is that when you set up 2FA using an authenticator app, it will generate a backup key. This is to be used for times when you may not have your phone handy and have to log in to your account. So keep the backup code safe and handy.



AIIMS RESEARCH TEAM DEVELOPS E-NOSE TO DETECT LUNG CANCER

Using a device called the electronic nose or e-Nose, the researchers are trying to identify the signature of lung cancer created by volatile organic compounds (VOCs) we exhale. VOCs are what give scent to a perfume and odour to pollutants.

When we breathe out, we release many of these compounds like alkanes and benzenes. However, their composition differs from person to person and disease to disease, explains Dr Anant Mohan, head of the Centre of Excellence in Breath Research, AIIMS. “Some of these VOCs may be up-regulated in people who have lung cancer and some of them may be down-regulated. Different diseases will produce different patterns or matrices of these VOCs. But once we recognise this pattern, we can diagnose the disease by just running the exhaled breath through eNose, which has several sensors to measure these VOCs,” he says.

The researchers have been collecting and comparing the VOCs of healthy people and those with lung cancer to identify the pattern that can signal the disease. Once this is done, lung cancer detection will just involve a quick and non-invasive test. “This test is years from coming close to the gold standard biopsy used for diagnosis but you can see the appeal. All a person needs to do is blow into the machine! It might help in early detection of lung cancer in developing countries like India where people reach the healthcare facilities in late stages,” says Dr Mohan.

About 70 per cent of his lung cancer patients come to him when the cancer has metastasised to other parts of the body. “Our studies have shown that the delay is because people seek treatment locally, the primary care doctor takes time to recommend the cases to the secondary care doctor and patients are given anti-tubercular treatment for two to three months before their final diagnosis,” he adds.

Although the researchers are currently looking at the eNose as just a diagnostic tool, they envision its applicability as a screening device too. At present, some countries have low-dose computer tomography based screening programmes for lung cancer. The Low Dose CT can be done annually in those at high risk of developing lung cancer – heavy smokers and those who are above the age of 50 years.

“Low-dose computed tomography (LDCT) has emerged as a screening tool for early lung cancer detection but may not be a feasible option for most developing countries. The breath-print analysis by electronic nose could be a potential biomarker for the early detection of lung cancer along with monitoring treatment response in a resource-limited setting,” a recently published review of the technique by the group said.

Screening for any disease is resource-intensive, and the current method, even if proven to be successful, would not solve the cost factor, says Dr Mohan. The collection tubes and chambers are expensive and the initial cost is high. But there is no recurrent cost. “It will become viable only when proven to work with good sensitivity and specificity. And, more companies come up to manufacture the device,” says Dr Mohan, whose centre is in touch with Indian technical partners to start manufacturing the components if not the device itself. Researchers are also working to develop the breath-print of other diseases such as asthma, TB, COPD, and sarcoidosis (a condition where tiny inflammatory cells grow on the lungs).



HOW IS INDIA ADDRESSING SICKLE CELL ANAEMIA?

Sickle cell anaemia (SCA), a genetic blood disorder, found mention in the Budget this year. Finance Minister Nirmala Sitharaman said that the government will work in “mission mode” to eliminate the condition by 2047. India is the second-worst affected country in terms of predicted births with SCA — i.e. chances of being born with the condition.

What is sickle cell anaemia?

Haemoglobin which is tasked with carrying oxygen to all parts of the body, has four protein subunits — two alpha and two beta. In some people, mutations in the gene that creates the beta subunits impact the shape of the blood cell and distorts it to look like a sickle. A round red blood cell can move easily through blood vessels because of its shape but sickle red blood cells end up slowing, and even blocking, the blood flow. Moreover, sickle cells die early, resulting in a shortage of red blood cells that deprive the body of oxygen. These obstructions and shortages may cause chronic anaemia, pain, fatigue, acute chest syndrome, stroke, and a host of other serious health complications. Without treatment, quality of life is compromised and severe cases can become fatal in the initial years of life.

Does SCA only affect some?

Research and screening programmes have found that the prevalence of haemoglobinopathies — disorders of the blood — is more common among tribal populations than non-tribal communities in India. Research has shown that SCA is prevalent in communities residing in areas where malaria is endemic. Around the middle 1940s, doctors found that those with sickle red blood cells were more likely to survive malaria. Those with the trait in some African countries were found to be potentially resistant to lethal forms of malaria and had a survival advantage. The sickle cell trait thus gave an evolutionary advantage, offering immunity to some people during malaria epidemics. In India, States and UTs with tribal populations contribute a significant malaria case load. Additionally, the documented prevalence of SCA is higher in communities that practice endogamy, as the chances of having two parents with sickle cell trait is higher.

Can it be treated?

Sickle cell anaemia is a genetic disorder, making complete “elimination” a challenge that requires major scientific breakthrough. The only cure comes in the form of gene therapy and stem cell transplants — both costly and still in developmental stages. Blood transfusion, wherein red blood cells are removed from donated blood and given to a patient, is also a trusted treatment in the absence of permanent cures. But challenges include a scarcity of donors, fears around safe supply of blood, risk of infection etc.

What has India done so far?

The Indian Council of Medical Research and the National Rural Health Mission in different States are undertaking outreach programmes for better management and control of the disease. The Ministry of Tribal Affairs launched a portal wherein people can register themselves if they have the disease or the trait, in order to collate all information related to SCA among tribal groups. In the Budget, the Union Health Minister said the government plans to distribute “special cards” across tribal areas to people below the age of 40. “The cards will be divided into different categories based on the screening results..” The mission will receive funding under the National Health Mission. However, Dr. Deepa Bhatt, a researcher at J.S.S. Medical College, Mysuru, is

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



sceptical about the impact. “The card system will help you to know the status of the patient, but at the same time, my biggest worry is if it will stigmatise the individual.”

IS THERE A NEED FOR AN EXTRA DOSE OF POLIO?

The story so far:

The West Bengal government announced that it was introducing an additional dose of injectable polio vaccine as part of the Universal Immunisation Programme (UIP) for children. The State, considered among high risk areas for polio, announced that this dose will be given at nine months, in addition to the existing doses in the current UIP. Additionally, two Polio Immunisation days are observed in the country each year and in some States, there are sub-national immunisation days, involving children under five years of age. An additional dose of inactivated poliovirus (IPV) at nine months will protect against any polio thereafter — Vaccine Associated Paralytic Polio or Vaccine Derived Polioviruses, explains T. Jacob John, noted virologist and paediatrician.

What is polio?

Poliovirus can invade the central nervous system and as it multiplies, destroy the nerve cells that activate muscles, causing irreversible paralysis in hours. There are three types of polio virus serotypes: types 1, 2 and 3. According to the India Polio Learning Exchange (along with UNICEF), of those paralysed, 5-10% die when their breathing muscles become immobilised.

There is no cure for polio, but there are safe, effective vaccines which, given multiple times, protect a child for life. Polio held the world in a bind of fear until Jonas Salk developed the first polio vaccine. Later, Albert Sabin made a ‘live’ polio vaccine that could be administered orally which became the tool of the trade, especially for nations carrying out mass immunisation campaigns, including India.

How did India achieve its polio-free status?

In 2012, the WHO removed India from the list of endemic countries. Seen as a massive achievement in public health, the campaign had begun years ago. While Rotary International launched its polio eradication campaign, Polio Plus, in 1985, it was in 1986 that it provided a \$2.6 million grant to Tamil Nadu for a pilot polio vaccination campaign. In 1995, the Union government announced the first National Polio Immunisation Day. As per the India Polio Learning Exchange portal, the last case of poliovirus type 2 case was recorded in India in October 1999 at Aligarh, Uttar Pradesh; the last case of poliovirus type 3 case was on October 22, 2010, at Pakur, Jharkhand; and the last case of poliovirus type 1 case was recorded on January 13, 2011, at Howrah, West Bengal. As of October 2022, the WHO said only two countries worldwide remain with indigenous transmission of wild poliovirus type 1 (WPV1) — Afghanistan and Pakistan. It also recorded that so far, 33 countries have outbreaks of variant polioviruses, such as in the U.K., the U.S., Israel and Malawi.

What was the recent global polio crisis?

Dr. Jacob John, who co-authored *Polio: The Eradication Imbroglio* with Dhanya Dharmapalan, says in a paper published in *Vaccines*, in 2022: “Genetic variants of vaccine poliovirus type 2, imported from an unknown source, were detected in waste waters in Jerusalem, London and New York in early 2022. The wild poliovirus type 2 was globally eradicated in 1999, but vaccine virus type 2 continued for 16 more years; routine use of the vaccine was discontinued in 2016 and



reintroduced occasionally on purpose. As an unintended consequence, type 2 vaccine virus variants (circulating vaccine-derived polioviruses) that mimic wild viruses' contagiousness and neurovirulence, have been emerging and spreading." He also posits the theory of respiratory transmission of polio, 'as was the classical teaching of polio epidemiology'. "People assume that virus transmission is via the faecal-oral route. But what about in London and New York, where there are high standards of hygiene and sanitation? Definitely virus transmission cannot be attributed to faecal contamination."

What is the future?

Naveen Thacker, president-elect, International Paediatrics Association, says recent events have shown how dramatically and rapidly global progress can unwind if the pressure is not maintained to vaccinate children. "We have seen some setbacks, particularly in the area of immunisation post the pandemic. But it is very clear we need to keep at what we are doing, and enhance measures to ensure this battle is fought all the way through." In November, at the meeting of the India Expert Advisory Group for polio eradication which Dr. Thacker is a part of, participants discussed how India continues to maintain high population immunity, risk mitigation from polio viruses including containment and transitioning of polio networks. Their suggestions will guide revised policy changes to ensure that India remains polio free.

TELANGANA'S TEJA CHILLI IS HOT PROPERTY IN MANY NATIONS

The burgeoning demand for the popular Teja variety of red chilli, famous for its culinary, medicinal and other wide-ranging uses, in the export market is proving to be a boon for the Khammam Agriculture Market, housing Telangana's second largest chilli market yard, in the district headquarters town of Khammam.

Khammam district, the largest producer of the Teja variety of red chilli, is the leading exporter of the pungent produce, which is known not only for its culinary purpose to spice up various delicacies but also as a main ingredient in making pepper spray. The huge demand for oleoresin, a natural chilli extract, is mainly driving the export of the Teja variety of red chilli from Khammam district to various spice processing industries in several Asian countries.

The Mudigonda-based oleoresin extraction firm of a Chinese company is engaged in export of the byproduct to its clients, sources said. The Teja variety of red chilli is being exported to China, Bangladesh and a few other south Asian countries from Khammam mainly through the Chennai port. The volume of exports of the commodity is picking up in tune with growing requirements of the spice processing industries and other allied units engaged in production of value-added products such as sauce and pickles.

The paste extracted from the pungent fruit is also in demand for its use as a protective layer beneath ships in some of the Asian countries, sources added. The export of Teja variety of red chilli is expected to grow from the present ₹2,000 crore per annum to ₹2,500 crore next year, Khammam Agriculture Market Secretary R. Malleshram told The Hindu. He said: "A major chunk of the commodity is being exported to China. The pungent fruit is most sought after in various south Asian countries including Thailand."

Despite the huge demand for Teja red chilli in the international market, "we are finding it difficult to recover the investment due to sharp escalation of cultivation cost," rued K. Srinivas, a chilli farmer of Tirumalayapalem. Only big traders, those who can afford to keep huge stocks in cold



storages for longer duration are reaping rich dividends of the huge export potential of the commodity, alleged another chilli grower.

BIRDERS DELIGHT: BENGAL REPORTS 489 SPECIES DURING COUNT

West Bengal reported the highest number of species of birds, followed by Uttarakhand and Arunachal Pradesh during the Great Backyard Bird Count (GBBC) 2023 across 35 States and Union Territories from February 17 to February 20. While West Bengal reported 489 species, Uttarakhand recorded 426, Arunachal Pradesh 407, Assam 397 and Karnataka 371 species.

Tamil Nadu and Kerala took the eighth and ninth spots with 349 and 325 species, respectively. Kerala, on the other hand, recorded the highest number of checklists of birds, the Bird Count India (BCI) said in a statement on Friday. It took the top spot in the checklist category by uploading 9,768 lists of birds. Maharashtra with 7,414 lists and Tamil Nadu with 6,098 were placed second and third, respectively. The BCI is an informal partnership of organisations and groups working together to increase collective knowledge about bird distributions and populations.

India was among 190 countries that participated in the GBBC 2023, an annual event that brings bird enthusiasts, students and nature enthusiasts together for counting birds they see around the places where they live, work or study. The preliminary report released by the BCI said that more than 46,000 checklists and a total of 1,067 avian species were uploaded on e-Bird, an online platform to record bird observations. The GBBC was launched in 1998. The Bird Count India organises the GBBC in the country.

KERALA, TAMIL NADU AND KARNATAKA TO ORGANISE THE FIRST SYNCHRONISED VULTURE SURVEY IN FEBRUARY

“Every year the Forest Departments in the three States were organising separate surveys at different times to count the remaining vulture population in South India,” says Dinesh Kumar, Additional Deputy Conservator of Forest, Wayanad wildlife sanctuary. But this often resulted in duplications, he said. But he added that a tripartite coordination meeting held in Mudumalai Tiger reserve in Tamil Nadu two weeks ago decided to organise the first synchronised vulture survey in Western Ghats to avoid duplications.

The survey would simultaneously be organised in the three forest divisions, including the Wayanad Wildlife Sanctuary, and the South and North forest divisions. It will be conducted after dividing the Wayanad landscape, where the bird species are frequently sighted, into 10 locations. Each of the locations will be monitored by a five-member team, comprising a vulture expert, a forest beat officer, one or two volunteers and a forest watcher, he said.

Wayanad Wildlife Sanctuary, contiguous to the tiger reserves of Nagarhole and Bandipur of Karnataka and Mudumalai of Tamil Nadu, is the lone region where vultures thrive in Kerala. The sanctuary harbours nearly 120-150 white-rumped vultures and less than 25 red-headed vultures.

The occasional sightings of long-billed vultures have also been reported in the sanctuary. Vultures faced a catastrophic population decline during the 2000s when the species was exposed to the anti-inflammatory drug diclofenac used as a painkiller for cattle. South Asia had about four crore white-rumped vultures until the end of the nineties. But the population has come down to less than 10,000.



ONCE A LAW, SOME OF 3,695 PROTECTED STRUCTURES MAY LOSE MONUMENT TAG

With an aim to redefine monuments and rationalise the use of area around the protected monuments, the government is set to reintroduce the Ancient Monuments and Archaeological Sites and Remains (AMASR) (Amendment) Bill in the second half of the Budget session.

While talking to reporters on the sidelines of an event in Delhi, Union Culture Minister G Kishan Reddy said the discussions on the draft AMASR (Amendment) Bill are in the final stage and the legislation will be tabled in Parliament as early as next month.

The upcoming amendment, The Indian Express has learnt, will seek to give a new definition of 'monument'.

Currently, a monument has to be at least 100 years old. But sources say there is a view to change that benchmark and go back since India has a wealth of ancient monuments, while most '100-year-old monuments pertain to the time of the Britishers'.

This would be in line with the government wanting to shed 'its colonial past', as announced by the Prime Minister at various fora to mark Amrit Kaal or 75 years of Independence.

There is also a likelihood of redefining 'national importance' as per the ethos of the country, since several centrally protected monuments were included on the list during the British regime, when the Archaeological Survey of India (ASI) was established. Eventually, put together, two will pave the way for the denotification of many centrally protected monuments, which currently stand at 3,695, it is learnt.

The AMASR Act only provides for denotification of a monument if it ceases to be of national importance. Recently, the ASI had admitted to a Parliamentary Committee about 24 missing monuments, and loss of another 26 to factors like urbanisation and submerging in dams.

The AMASR Act also prohibits construction up to 100 metres around protected monuments, except under certain conditions. An area up to 200-metre radius beyond the prohibited area is demarcated as a regulated area.

No construction work or related activity is generally permitted in these prohibited and regulated areas in case of all 3,695 protected monuments across the country, unless a specific approval is taken from the National Monuments Authority (NMA).

There is a feeling that this restricts a lot of areas which could be put to good use, specifically in case of developmental and infrastructure related work. It is expected that the amendments will pertain to making some relaxation in these zones, specifically in case of smaller and less significant monuments such as statues, cemeteries and cannons, etc., which don't need such a big area around them to be restricted for their protection.

However, in case of UNESCO World Heritage Sites (India has 40 of them, including Taj Mahal in Agra, Dholavira in Gujarat, Ramappa Temple in Telangana, and Red Fort and Qutub Minar complexes in Delhi), these restrictions may stay, since construction in regulated and prohibited zones may impact these heritage structures. UNESCO has generally been encouraging such a concept to be complied with in the case of all world heritage sites.

Official sources, privy to the deliberations, say that uniformity in these restrictions for all monuments will be lifted.

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



THE SIGNIFICANCE OF THE FINDINGS IN KEELADI

The story so far:

Keeladi is a tiny hamlet in the Sivaganga district in south Tamil Nadu. It is about 12 km south-east to the temple city of Madurai and is located along the Vaigai river. The excavations here from 2015 prove that an urban civilisation existed in Tamil Nadu in the Sangam age on the banks of the Vaigai river.

How is Keeladi linked to Sangam age?

The Sangam age is a period of history in ancient Tamil Nadu which was believed to be from the third century BCE to the third century CE. The name is derived from the renowned Sangam poets of Madurai from that time. Excavations by the Archaeological Survey of India (ASI) and Tamil Nadu State Archaeology Department (TNSDA) has pushed the Sangam age further back. In 2019, a TNSDA report dated the unearthed artefacts from Keeladi to a period between sixth century BCE and first century BCE. One of the six samples collected at a depth of 353 cm, sent for carbon dating in the U.S., dated back to 580 BCE. The findings in the TNSDA report placed Keeladi artefacts about 300 years earlier than the previously believed third century BCE. A recent ASI report by K. Amarnath Ramakrishna, the Superintendent Archaeologist who discovered Keeladi in 2015, has pushed the Sangam age to 800 BCE based on these archaeological findings.

Keeladi could also provide crucial evidence for understanding the missing links of the Iron Age (12th century BCE to sixth century BCE) to the Early Historic Period (sixth century BCE to fourth century BCE) and subsequent cultural developments.

What was the controversy surrounding Keeladi?

After reports of possible links with the Indus Valley Civilisation, the third round (2017) of diggings by the ASI saw a delayed start. Superintending Archaeologist Amarnath Ramakrishna was transferred to Assam, allegedly in a perceived attempt to play down the excavation findings. Keeladi almost faded from public memory as there was no “significant finding” in the third round. This led to criticism that the excavation had been deliberately restricted to 400 metres. Tamil Nadu politicians criticised the BJP-led Union Government of trying to suppress information about an ancient Tamil civilisation that had flourished on the banks of the Vaigai river. On the intervention of the Madurai Bench of the Madras High Court, the ASI permitted the TNSDA to take up further excavation on its own. Since then, the TNSDA has been carrying out excavations to unearth more about the history of Tamil civilisation.

Are there links to Indus Valley?

The unearthed Keeladi artefacts have led academics to describe the site as part of the Vaigai Valley Civilisation. The findings have also invited comparisons with the Indus Valley Civilisation while acknowledging the cultural gap of 1,000 years between the two places. Till now, the gap is filled with Iron Age material in south India, which serve as residual links. However, some of the symbols found in pot sherds of Keeladi bear a close resemblance to Indus Valley signs. A lot of digging and study has to be done to establish the links between these two civilisations. TNSDA affirms that Keeladi has all the characteristics of an urban civilisation, with brick structures, luxury items and proof of internal and external trade. It comes across as an industrious and advanced civilisation and has given evidence of urban life and settlements in Tamil Nadu during the Early Historic Period. Keeladi has also added to the credibility of Sangam Literature.



What has been unearthed so far?

In the eight rounds of excavations, including the first three by the ASI, over 18,000 artefacts have been unearthed from the site and the unique artefacts will be on display at the museum to be opened soon.

Unearthing of heaps of pottery suggest the existence of a pottery making industry, mostly made of locally available raw materials. Over 120 potsherds containing Tamil Brahmi inscriptions have been found. Keeladi, along with other Tamil Nadu sites which have over a thousand inscribed potsherds, clearly suggest the long survival of the script. Spindle whorls, copper needles, terracotta seal, hanging stones of the yarn, terracotta spheres and earthen vessels to hold liquid suggest various stages of a weaving industry. There also existed a dyeing industry and a glass bead industry.

Gold ornaments, copper articles, semi-precious stones, shell bangles, ivory bangles and ivory combs reflect the artistic, culturally rich and prosperous lifestyle of the Keeladi people. Agate and carnelian beads suggest import through commercial networks while terracotta and ivory dice, gamesmen and evidence of hopscotch have been unearthed revealing their pastime hobbies.

SONU NIGAM, THE CELEBRITY SELFIE AND A CULTURE OF NARCISSISM

Fanfare now demands our presence alongside, even if it is at the cost of encroaching upon an idol's personal space. In that aspect, it is no different than the constant overreach of the paparazzi, perhaps, only worse for wear in its desire for instant gratification.

After cricketer Prithvi Shaw's recent unsavoury encounter with social media influencer Sapna Gill, the tyranny of the selfie caught up with Sonu Nigam at a concert in Mumbai's Chembur, when an admirer tried to get close to the singer for the perfect shot, shoving his aide and bodyguard aside. Reportedly, both men were injured in the scuffle as was the singer.

These, of course, are not isolated instances. While Hollywood stars such as Emma Watson, Jennifer Lawrence and Cameron Diaz refuse to take selfies with fans, in India, celebrities, major and minor, are routinely hounded for that special brand of photographs that has now come to replace the autograph. The selfie places the individual at the heart of every event — an ill-fated marriage of our all-consuming self-absorption with a voyeuristic curiosity about the lives of celebrities. In the performative culture that we live in, it is no longer enough to photograph the object of our admiration from afar, leave alone the forgotten joy of merely having partaken in an experience special to us without having a keepsake to show for it.

The celebrity selfie has turned into a badge of narcissistic honour, a constant homage to our infatuation with ourselves and our need to document, curate and display the most aspirational versions of our lives. Fanfare now demands our presence alongside, readjusting our focus over and over again, till we have achieved the filter that shows us up in the best light, even if it is at the cost of encroaching upon an idol's personal space. In that aspect, it is no different than the constant overreach of the paparazzi, perhaps, only worse for wear in its desire for instant gratification.

REMEMBERING KANAK RELE: BORN TO DANCE

Noted danseuse Kanak Rele, who died in Mumbai on Wednesday at the age of 85, believed that she was born to dance. She let nothing stand in her way — not a childhood diagnosis of polio and not, later in life as she built her career as one of the country's foremost classical dance performers

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and researchers, the lack of institutional support and a society that remained largely indifferent to its vast and varied cultural heritage.

This last obstacle was a formidable one, as Rele discovered during her journey to becoming one of India's leading exponents of Mohiniyattam, a classical dance form from Kerala. Born Kanak Divecha into a nationalist family from Gujarat, she grew up steeped in the arts. As a young child, she spent a few years in Shantiniketan where she had moved with her mother and uncle, after her father died. Her uncle was studying at Kala Bhavana and she credited his work with shaping her aesthetic sensibilities. Her formal education in classical dance began with Kathakali under the tutelage of "Panchali" Karunakara Pillai. She also learned Bharatanatyam from the formidable K P Kitappa Pillai, but it was the "exquisite lyricism" of Mohiniyattam that captivated her. She began learning under Kalamandalam Rajalakshmi and as she was drawn deeper into the art form, she realised that a large part of her work would be to rescue it from neglect and vilification as a "devadasi" dance and formalising its structure.

This she did — like she did everything else, including academics — with total dedication and eventually set up the Nalanda Nritya Kala Mahavidyalaya in Mumbai. Driven by her conviction that no traditional performing art form should be studied in isolation, she taught generations of students not only dance, but also its deep links to the music, literature and philosophy of the land. If today Mohiniyattam is one of the eminent classical dance forms of India, some of the credit goes to Rele's unflagging devotion to it.

PURI FILM FEST OFFERS PITCHING PLATFORM TO BUDDING AUTEURS

The sound of crashing waves mixes with excited chatter as the sun begins to set at Puri beach on the Odisha coast. In a makeshift tent, filmmakers of different hues lounge in the breeze, soaking up the atmosphere. No hierarchy exists here — all are equal in their admiration for the films screened and the exchange of ideas that flows freely.

For two decades, the Bring Your Own Film Festival (BYOFF), a unique event bereft of corporate sponsorship, has been drawing both filmmakers and film lovers to this coastal town. The 20th edition of the event, which began on Tuesday and will witness the screening of over 70 films from different genres, durations, and parts of the country, concludes on Saturday.

"BYOFF's uniqueness lies in the approach of the organisers — there is no selection, no jury and no awards for the films screened; and anyone who has a film can show it here. There is no hierarchy, no bureaucracy; it's just the sun, the sand, the sea, cinema and more," said Susanta Mishra, convener of the festival.

Low fee, high turnout

The registration fee is minimal, ranging from ₹350 to ₹2,000 for the five-day period, including free dinner for filmmakers. During the past two decades, more than 10,000 delegates and 3,500 filmmakers have participated. A filmmaker who does not get other platforms to exhibit his or her creation or faces rejections will find BYOFF a perfect platform to share their art with film lovers.

Pitching opportunities

BYOFF is now evolving into its next phase as a pitching platform. This year, the festival has collaborated with AAO-Next, an Odia online OTT platform, so young filmmakers can pitch their projects and gain support to produce their films.



BUSINESS & ECONOMICS

WARNING SIGNALS IN NEW TRADE DATA

Trade data released last week showed that India's exports and imports have contracted for the second straight month in January. This persisting weakness in the country's trade data points towards slowing economic momentum across both the domestic and global economy. This is a worrying sign. The disaggregated data suggests that the fall since the second half of last year has been driven by both price and volume effects. Though, as a consequence, the merchandise trade deficit has narrowed in January, falling to its lowest level over the past year. While the sharp rise in the current account deficit in the second quarter of this year (4.4 per cent of GDP) had raised concerns over its financing, the trends in goods and services exports and imports in the period thereafter suggest that the deficit is likely to have peaked.

Data released by the Ministry of Commerce and Industry showed that India's exports contracted by 6.6 per cent in January. As per a report by investment house Nomura, excluding oil, gold, gems and jewellery, core-exports fell by 7.5 per cent. Worryingly, core-exports have fallen in four of the last five months as per the report, signalling the sharp slowdown in global demand as central banks across the world have tightened monetary policy to tackle inflation. Within core-exports, while exports of electronic goods were healthy in January, most other segments, including the labour intensive sectors such as textiles, witnessed a decline. In fact, a majority of the 30 major export segments witnessed a contraction in January. On the other side, the latest data also shows that overall imports contracted by 3.6 per cent in January. While the 70.8 per cent fall in gold imports is indeed welcome news — high gold imports have contributed to the widening of the deficit in the past — the disaggregated data shows that imports, excluding oil, gold and jewellery, fell in January. This indicates a softening of domestic demand.

In its latest world economic outlook, the International Monetary Fund has pegged global growth to slow down to 2.9 per cent in 2023, from 3.4 per cent in 2022. The Fund has also projected growth in world trade volumes (in goods and services) at 2.4 per cent this year, down from 5.4 per cent the year before. Slowing global economy and world trade suggest that the fall in India's exports can intensify further. This will imply that the boost from exports to the broader Indian economy that was observed over the past financial year is unlikely to materialise now. With the other drivers of growth constrained in their ability to stimulate growth, at this critical juncture, the policy apparatus should be guided by the objective of facilitating exports and deepening India's trade relations.

REFORM RELUCTANCE

Meeting in person after nearly eight months, the GST Council last Saturday reached a broad consensus on establishing GST Appellate Tribunals to resolve disputes under the tax regime launched in July 2017. After some fine print changes in consultations with States, the Finance Ministry hopes to include the legislative backing for the tribunals in the Finance Bill likely to be passed next month. This raises hopes of quicker disposal of GST disagreements that are adding to courts' caseloads, but the reason for delaying this vital cog of the 'One Nation, One Tax' promise is difficult to fathom. A few rate changes that could make, among other things, pencil sharpeners a tad cheaper, and lower penal charges for delayed filings by smaller taxpayers also got the Council's nod. The implications of some other moves, like a new system for evasion-prone sectors such as gutkha, will depend on the minutiae in their notifications. A much-deferred review of the GST on



online gaming and casinos remains stuck. The stated reason for not taking it up this time was that the chief of the ministerial group entrusted with the issue had Assembly poll work. With nine Assembly elections scheduled this year, that does not augur well for the Council's ability to resolve prickly issues faster this year.

Of greater concern is the stalling of the rationalisation of the complex GST rate structure with multiple slabs, and critical inputs left out. A Group of Ministers (GoM) was tasked, in late 2021, to propose a fix for anomalies in GST levies such as inverted duty structures, and propose revised rates with fewer slabs. The Council was informed that GST was still not delivering enough revenues — with the aggregate tax rate close to 12% rather than the 15.5% revenue-neutral rate envisaged originally, “knowingly or unknowingly” due to rate cuts on some items between 2017 and 2021. While some anomalies flagged by the GoM were fixed last June, the Centre had signalled the rates' rejig would be deferred as inflation had surged and any revision would mean higher taxes for some items. The report on rate reforms is still awaited, inflation remains a headache and the onset of an electoral season culminating with the Lok Sabha election in 2024, means the same dithering logic holds true. Tighter compliance and higher prices have also bolstered average GST revenues, perhaps diluting the urgency to fix the unwieldy tax tangle. But for taxpayers, who continue to pay 28% GST on as essential an item as cement — whether it is used to build a roof over one's head or construct an expressway — a truly good and simple tax system will now likely have to wait till at least 2025.

GOVT. TAPS CONSULTANTS TO MONETISE LAND

To expedite the monetisation plans for government-owned land assets across the country, the National Land Monetisation Corporation (NLMC) has decided to rope in international property consultancy firms to help strategize and implement transactions from start to finish.

Following an announcement in the 2021-22 Union Budget, the NLMC, steered by the Department of Public Enterprises was set up last year to undertake monetisation of surplus land and building assets of central public sector enterprises (CPSEs) and other government agencies.

These assets could be core assets that are under operation by a public agency such as transmission lines, roads or a railway line or could be non-core assets which are in surplus, unused or under-used (largely comprising of land, buildings and other immovable properties), with no clear plan for optimal use in the near future.

The Department of Investment and Public Asset Management (DIPAM), currently working on the strategic sales of several PSUs, including Concor, Shipping Corporation of India and BEML – has been steering the demerger of these companies' non-core and land assets before they are put on the block.

As per the mandate, the property consulting firms will also be required to assist in finalising monetisation models and transaction structure for individual assets, finalising their valuation, preparing bid documents and holding road shows for prospective investors.

INDIA'S SHIFT FROM CHEQUES TO CREDIT TRANSFERS SHARPEST AMONG PEERS

On Tuesday, the cross-border connectivity between India's Unified Payments Interface (UPI) and Singapore's PayNow was launched. UPI is a popular mobile payment service which allows instant credit transfer from one bank account to another in India, while PayNow is its Singaporean



equivalent. With the linkage, cross-border transfers between the two countries have become faster and cheaper.

The linkage marks a significant moment in India's digital transactions journey. The value of cashless transactions, which was increasing at a healthy pace before the pandemic, got a fillip post the COVID-19 outbreak. According to data from the Bank for International Settlements (BIS), the total value of cashless payments was around \$3 trillion by 2012. It doubled to \$6 trillion by 2019 and jumped to \$7 trillion by 2021. Cashless payments as a percentage of GDP increased from 135% in 2012 to 193% in 2019 and to 209% by 2021.

India is not alone in this progress. According to a recent brief published in BIS, the volume of cashless payments increased sharply by 34% in 2021 across emerging markets and developing economies including India and the value of such transactions increased by 15%.

Digital credit transfers, which include UPIs, RTGS, NEFT and IMPS, were a major reason for the surge in digital payments in India. Digital credit transfers formed about 20% of cashless payments by 2012. They increased to 70% in 2019 and further to 78% by 2021. Cheques, a famous form of cashless payment in India, are on their way out in the country.

The substitution of cheques with credit transfers was felt across most countries, though the drop in India was the sharpest. India's drastic drop in the share of cheques in cashless payments (73% in 2012 to 13% in 2021) was the steepest among the countries. For instance, in Singapore, in the same period, the share reduced from around 62% to 32%. In other nations such as Canada and the U.S., the decline was less sharp compared to India's.

This shows that India's transition to credit transfers from cheques as a preferred mode of cashless payment was quicker than in many other countries. India's cheque:credit transfer ratio in cashless payments was around 15:80 in 2021, while that of the U.S. was 20:48 and that of Singapore was 32:52. However, countries such as Italy, Japan, France, Mexico and South Africa already had a very high share of credit transfers in their cashless payments, as their cheque penetration was lower to start with.

Credit, debit cards and e-money are other growing cashless systems in India. The share of e-money has grown significantly though the usage of credit and debit cards continue to dominate.

Notably, while the number of Point-of-Sale (PoS) terminals have grown in India, the growth is still low compared to other BRICS countries. While India's number is lowest among the five, Brazil's figures have increased significantly in the past few years.

VOSTRO ACCOUNTS AND HOW THEY FACILITATE TRADE

The story so far:

Last week, government officials informed that 20 Russian banks, including Rosbank, Tinkoff Bank, Centro Credit Bank and Credit Bank of Moscow have opened Special Rupee Vostro Accounts (SRVA) with partner banks in India. All major domestic banks have listed their nodal officers to sort out issues faced by exporters under the arrangement.

What is the SRVA arrangement?

A vostro account is an account that domestic banks hold for foreign banks in the former's domestic currency, in this case, the rupee. Domestic banks use it to provide international banking services

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to their clients who have global banking needs. It is an integral offshoot of correspondent banking that entails a bank (or an intermediary) to facilitate wire transfer, conduct business transactions, accept deposits and gather documents on behalf of the other bank. It helps domestic banks gain wider access to foreign financial markets and serve international clients without having to be physically present abroad.

The SRVA is an additional arrangement to the existing system that uses freely convertible currencies and works as a complimentary system. For perspective, freely convertible currencies refer to currencies permitted by rules and regulations of the concerned country to be converted to major reserve currencies (like U.S. dollar or pound sterling) and for which a fairly active market exists for dealings against major currencies. The existing systems thus require maintaining balances and position in such currencies.

How does it function?

The framework entails three important components, namely, invoicing, exchange rate and settlement. Invoicing entails that all exports and imports must be denominated and invoiced in INR. The exchange rate between the currencies of the trading partner countries would be market-determined. To conclude, the final settlement also takes place in Indian National Rupee (INR). The authorised domestic dealer banks (those authorised to deal in foreign currencies) are required to open SRVA accounts for correspondent banks of the partner trading country. Domestic importers are required to make payment (in INR) into the SRVA account of the correspondent bank against the invoices for supply of goods or services from the overseas seller/supplier. Similarly, domestic exporters are to be paid the export proceeds (in INR) from the balances in the designated account of the correspondent bank of the partner country.

As for availing an advance against exports, it would be the responsibility of the domestic bank to accord foremost priority to ensuring that the available funds are used to meet existing payment obligations, that is, from the already executed export orders or export payments in the pipeline. All reporting of cross-border transactions are to be done in accordance with the extant guidelines under the Foreign Exchange Management Act (FEMA), 1999.

What is the eligibility criteria of banks?

Banks from partner countries are required to approach an authorised domestic dealer bank for opening the SRVA. The domestic bank would then seek approval from the apex banking regulator providing details of the arrangement.

It would be the responsibility of the domestic banks to ensure that the correspondent bank is not from a country mentioned in the updated Financial Action Task Force (FATF) Public Statement on High Risk & Non-Co-operative jurisdictions. Domestic banks must also put forth for perusal, financial parameters pertaining to the corresponding bank.

Authorised banks can open multiple SRV accounts for different banks from the same country. Further, balances in the account can be repatriated in freely convertible currency and/or currency of the beneficiary partner country depending on the underlying transaction, that is, for which the account was credited.

What is its purpose?

The Economic Survey (2022-23) had argued that the framework could largely reduce the “net demand for foreign exchange, the U.S. dollar in particular, for the settlement of current account



related trade flows". It added that the framework would also reduce the need for holding foreign exchange reserves and dependence on foreign currencies, making the country less vulnerable to external shocks. Indian exporters could get advance payments in INR from overseas clients and in the long-term promote INR as an international currency once the rupee settlement mechanism gains traction, the survey argued.

As per the Bureau for International (BIS) Settlements' Triennial Central Bank Survey 2022, the U.S. dollar was the most dominant vehicle currency accounting for 88% of all trades. The INR accounted for 1.6%.

TERM INSURANCE PLANS TAILOR-MADE FOR NRIS

In one's financial planning journey, term insurance is perhaps the most critical element of the investment portfolio. The reasons are many – primarily, it provides financial security for the loved ones in the event of the policyholder's death. It can help pay for regular expenses as well as cover long-term debts and provide a source of income for the deceased's family.

Knowing that your loved ones will be taken care of in your absence provides a great deal of mental peace. While mental peace is paramount for everyone, it becomes especially relevant if you stay away from your native land.

Just as it is vital for consumers residing in India, term insurance is equally important, if not more, for NRIs. In the event of unanticipated events like illness, injury or death, it can offer a financial shield and ensure that their family's future is not compromised.

However, staying in a foreign country doesn't mean that they have to necessarily buy the policy from that very country. In fact, NRIs should ideally opt for a term plan from India to avail a number of benefits.

Affordability

It is financially wiser for NRIs to purchase term insurance from India.

Term insurance policies available in India are a lot more cost-effective and provide more extensive coverage than those offered in other nations. By paying a comparatively lower premium, NRIs can purchase a term plan that offers a high amount of life cover. Particularly, when it comes to NRIs residing in developed nations, the price differential in some instances might be as high as 50-60%. A term insurance policy purchased from Singapore or the UAE, for example, would cost 40-50% more than one purchased from India.

This becomes possible because of relatively lower re-insurance rates and additional GST benefit of up to 18%. With abundant options available from multiple insurance companies, the Indian insurance market provides a range of products to meet a range of requirements and price points.

All-inclusive

Indian insurance companies design their products with the Indian consumer in mind, in contrast with plans in other countries (like the NRI's host nation) which are created with the local residents in mind.

In fact, Indian insurers have products specifically for NRIs which are carefully designed keeping their needs in mind. Hence, insurance plans purchased from an Indian insurer may be a better fit



for an NRI's specific insurance requirements, such as protection against critical ailments, or benefits for nominees who are residing in India. Indian term plans also make more sense for NRIs who have family members residing in India, because of higher comfort when dealing with local insurance providers for claim settlement.

Tele-medical check-ups

Planning a trip to India is no longer required for NRIs who want to purchase a term plan.

The ability of NRIs to purchase a term plan from India while residing in their host country has been made possible with the introduction of tele-medical or video medical examinations. Simply put, an NRI does not have to be physically present in India in order to purchase a term plan.

With the simple issuance procedure made possible by video-medicals, they can quickly purchase a term plan from any location in the world.

When the pandemic first started, the underwriting guidelines were stricter and policy buyers had to submit to physical examinations. The coverage sums were restricted. But now that laws and regulations have been relaxed, NRIs can get substantial cover with tele-medical checks within a few clicks and through online payment. Insurers have also started to tie-up with local service providers to enable medical check-ups at home, without any additional cost to the customer.

Other benefits

Purchasing term plans from India also offer NRIs other benefits like coverage for terminal illnesses wherein they get a lump sum payout in case of the diagnosis of a terminal illness. They can also opt for long-term coverage that provides protection even for as long as 99 years.

Accidental death benefit rider is also available that offers an extra sum assured and provides additional protection in case of accidental death, irrespective of where the policyholder resides. To sum up, buying insurance from India offers NRIs complete financial security that they require at an affordable price.

Geographical restrictions no longer prevent NRI clients from purchasing term insurance plans in India. Especially amid recurrent COVID surge, they can buy a plan without having to physically travel and expose themselves to any risk. So NRIs need not postpone making this crucial decision until their subsequent visit to India.



LIFE & SCIENCE

SECOND AUBRITE METEORITE FOUND IN INDIA IN 170 YEARS

On August 17, 2022, a meteorite streaked over India, breaking apart as it descended through the air, to scatter over two villages in Banaskantha, Gujarat. One piece struck a neem tree in Rantila village and shattered into several pieces. Another landed on the porch of a house in Ravel village, 10 km away, and met a similar fate.

'A rare specimen'

The meteorite is a "rare, unique specimen" of aubrite, analysis by a group at the Physical Research Laboratory (PRL), Ahmedabad, has revealed.

Hundreds of meteorites have crashed in India, but this is only the second recorded crash of an aubrite. The last was in 1852 in Basti, Uttar Pradesh.

Worldwide, aubrites have crashed in at least 12 locations since 1836, including six in the U.S.

According to one 2003 definition, aubrites are "igneous rocks" that form in oxygen-poor conditions, and thus "contain a variety of exotic minerals that are not found on Earth". For example, the mineral heideite was first described in the Basti meteorite.

PRL director Anil Bhardwaj, who is also a coauthor of the paper, called it a "rare meteorite fall" in an email and that "we have to bring out the best of science from it".

The group's results were published in Current Science on January 25.

Meteors are pieces of some solid object in space that broke away, descended onto a planet or moon. Once they reach the surface, they are called meteorites.

Aubrites are a type of meteorite. Scientists are not yet sure of their origin, although some signs indicate they could be from the asteroid 3103 Eger or from the planet Mercury.

Given the unknown parent body and fragility, "Aubrite meteorites either fall rarely on earth or they might have fragmented in finer fractions before falling or [have got] lost during atmospheric ablation," Amit Basu Sarbadhikari, associate professor at PRL and the paper's corresponding author, wrote in an email.

Diyodar meteorite

The pieces that fell in the two villages were dubbed the Diyodar meteorite after the taluka. The PRL team obtained two fragments weighing 200 g and 20 g. They used a gamma-ray spectrometer, a spectroradiometer, electron-imaging, and chemical analyses to determine their mineral composition.

Given its rarity, "we have to be very careful to analyse it," Sujoy Ghosh, an assistant professor of Geology and Geophysics at IIT Kharagpur, told The Hindu. He wasn't involved with the study. They found that the fragments shared a crust that indicated they were part of a common larger rock, which they suggest was an aubrite. Around 90% of the meteorite was composed of orthopyroxene. Pyroxenes are silicates consisting of single chains of silica tetrahedra (SiO₄); orthopyroxenes are pyroxenes with a certain structure.



Pyroxenes such as diopside and jadeite have been used as gems. Spodumene was historically used as lithium ore. Rocks with pyroxene have also been used to make crushed stone used in construction.

Monomict breccia

The group also classified the meteorite as a monomict breccia since it consisted of several pyroxene-bearing pieces held together by a scaffold of rocky material. The conditions in which aubrites form are prevalent on Mercury. However, as per their paper, the researchers don't have "any known Mercurian samples" in their collection.

"We plan to do a whole-rock elemental and isotopic analysis, the data of which will provide more information about many important aspects of this meteorite," Dr. Sarbadhikari said.

US RESEARCHERS REPORT PROMISING DEVELOPMENT FOR MALE CONTRACEPTIVE PILL: 'STOPPING SPERM IN ITS TRACKS'

Researchers from Weill Cornell Medicine, US, have created an experimental contraceptive drug candidate that "temporarily stops sperm in their tracks and prevents pregnancies in preclinical models." This means that a new kind of contraceptive for men, currently available through physical barriers (condoms) and surgical options (vasectomy), could be developed, similar to how a pill exists for women.

Dr Jochen Buck and Dr Lonny Levin, professors of pharmacology at Weill Cornell Medicine, said the discovery could be a "game-changer" for contraception. In the abstract for their study ('On-demand male contraception via acute inhibition of soluble adenylyl cyclase'), published in Nature Communications on February 14, they wrote, "Nearly half of all pregnancies are unintended; thus, existing family planning options are inadequate."

What does the study say?

Basically, this study was an attempt to show a proof-of-concept, and whether the idea of such a pill could practically work. The aim here was to work on slowing the mobility or movement of sperms or the male gamete, which fertilises the female gamete or egg during human reproduction.

According to the Weill Cornell Medicine Newsroom, the study came thanks to working on a single protein. "Dr Levin challenged Dr Buck to isolate an important cellular signalling protein called soluble adenylyl cyclase (sAC) that had long eluded biochemists," it says. Later, the two began working together as part of a team.

They discovered that mice genetically engineered to lack sAC are infertile. In 2018, Dr Melanie Balbach, a postdoctoral associate in their lab, discovered mice that were given a drug that inactivates sAC leads to sperms that cannot propel themselves forward. Therefore, sAC inhibition was seen as a possible safe contraceptive option as another team's report stated men who lacked the gene encoding sAC were infertile but otherwise healthy.

How was the study done?

A single dose of an sAC inhibitor, called TDI-11861, was found to immobilise mice sperm for up to two and half hours, and effects persist in the female reproductive tract after mating. After three hours, some sperm begin regaining motility; by 24 hours, nearly all sperm have recovered normal movement.



“Our inhibitor works within 30 minutes to an hour,” Dr Balbach said. “Every other experimental hormonal or nonhormonal male contraceptive takes weeks to bring sperm count down or render them unable to fertilize eggs.”

The team now plans on conducting these experiments in a different preclinical model, eventually hoping to progress to human clinical trials.

Why has the male contraceptive pill been difficult to develop?

Contraception, in general, has been focused on women. In 1960, the oral contraceptive pill was approved for release. Although the pill has also not been completely uncontroversial, often resulting in side-effects such as the risk of blood clots developing and even a risk of cancer according to some studies, there was also a great benefit. It allowed women to have more agency in child-bearing.

How the pill worked was through regulation of the hormones progesterin and estrogen, preventing fertilization of the egg by the sperm. Christina Wang, a contraceptives researcher in the US, told The Washington Post that biology may be at play for why the same has not happened for men. Women produce one egg per month while men produce sperm in much larger numbers. Hence, developing a method is more challenging.

At times, studies have been abandoned after finding even slightly mild side effects, such as acne or mood swings in a 2016 study, even as women have dealt with these over the years. But that also has to do with changing norms on what is now acceptable in such trials, as compared to when women’s contraception was being developed in Western countries in the middle of the 20th century.

HOW A PAPER STRIP TEST CAN DETECT HAEMOGLOBIN LEVELS AND BE USED BY AN ASHA WORKER

The concept of jugaad in India is often seen as short-changing technology or gets dismissed as a quickfix approach to get things done. But IIT Kharagpur Professor of Mechanical Engineering Suman Chakraborty respects the innovation behind it. “The system called jugaad is shown as something which is temporary and non-scientific. However, we do not register the very fact that extreme deep science and technological innovation can be behind such very simple things. While being fascinated by high-end research, robotics and space science, we often underestimate how innovation simplifies technology and makes it work at the grassroots level. Imagine if we can simplify healthtech tools, we won’t need a doctor to do the primary tests; even an ASHA or any frontline health worker can draw up a medical profile required for primary diagnosis with minimal training,” he says.

Working on diagnostics technology in 2015, he was concerned how breakthrough tools only helped people in urban centres and left the rural areas virtually untouched. He saw the difference between his campus in Kharagpur town and the hinterland. So he decided to reach out to the urban and rural poor for their preventive healthcare needs by developing a basic blood marker test to detect anaemia and assess general health status.

With his team of six scientists, he developed a tool to find out haemoglobin levels as well. He started working on simple machinery which does not require high-end logistics and uses a paper strip, an app and a drop of blood to detect haemoglobin levels in the body. This could revolutionise



rural healthcare as we know it since it solves the problem of getting a rapid bloodwork for easier and earlier diagnosis.

“We take a drop of capillary blood on a strip of paper with different reagents on them. After collecting the blood, we take a picture of its colour with the help of a smartphone camera. Quantitative analytical colorimetry is achieved via an Android-based application (Sens-Hb), integrating key operational steps of image acquisition, real-time analysis and result dissemination. Further, feedback from the machine learning algorithm for adaptation of calibration data offers consistent dynamic improvement for precise predictions of the test results,” says Prof Chakraborty.

In a most recent variant of the innovation on haemoglobin detection, his team developed a test for anaemia screening where no reagents are required at all. “All you have to do is to drop the capillary blood into a paper strip soaked with glycerol and take a photo of the pattern that the blood forms on it. By analysing the pattern using our smartphone app, we may screen mild, moderate or severe anaemic patients on the spot,” he adds. According to Dr Shatadal Saha, who is also part of the project and the founder of the NGO, Foundation for Innovations in Health, the accuracy in trials at 45 clinics in Bihar, Assam and West Bengal has been more than 98 percent. The project is supported by the Department of Science and Technology.

Explaining the impact, Dr Chakraborty says, “There are silent killers in rural areas as well in terms of primary health care. If anaemia, diabetes and hypertension can be detected early, then it is possible to manage them.”

“We have trained thousands of rural youth as health workers in 45 clinics running in three states. The results of the tool were compared with gold standard results and we started using the device for the rural population we are working with. This is a single step process. This device has significant advantages in terms of capital price, operating ease and cost of test,” says Dr Saha.

Dr Chakraborty says that while he may not be a social reformer, as a professor, he could bring advanced healthcare to the common people through smart innovation. The challenges lay not in innovation but simplifying the tool for use by a layman. “There is a cultural aspect of doing research. The first fight was within ourselves as we debated how to convince my students, the stakeholders, industry and even the government that this technology was for the underserved and should be seen differently from technology development anywhere else in the world,” he adds. He also argued how this technology could be applied in low income countries like those in Africa. “In developed countries like the US, the healthcare system is so expensive and insurance driven that someone, who is not covered by it, cannot access it. Even those covered have to go through elaborate paperwork. In that sense, this is a global game-changer, says Prof Chakraborty.

Now the team has transferred the technology to some companies and some of them are working on the product. “Huwel Life Sciences from Hyderabad has taken interest in this technology for commercial use. We are in talks with other companies, too. There has to be a structured plan to massively upscale it as one company cannot cover the entire country,” says he. He is now focussing on his other tools that can detect glucose levels and creatinine.