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EDITORIALs

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How is Hamas growing its arsenal of rockets to strike Israel?

In this fourth war between Israel and Gaza's Hamas rulers, the Islamic militant group has fired more than 4,000 rockets at Israel, some hitting deeper in Israeli territory and with greater accuracy than ever before.

The unprecedented barrages reaching as far north as the seaside metropolis of Tel Aviv, coupled with drone launches and even an attempted submarine attack, have put on vivid display a homegrown arsenal that has only expanded despite the choke hold of a 14-year Israeli-Egyptian blockade.

The magnitude of (Hamas) bombing is much bigger and the precision is much better in this conflict, said Mkhaimar Abusada, a professor of political science at Al-Azhar University in Gaza City. It's shocking what they've been able to do under siege.

Israel has argued that the blockade, which has caused severe hardship for more than 2 million Palestinians in Gaza is essential for preventing a Hamas arms build-up and cannot be lifted.

Crude Bombs to Long Range rockets

Since the founding of Hamas in 1987, the group's secretive military wing _ which operates alongside a more visible political organization evolved from a small militia into what Israel describes as a "semi-organized military."

In its early days, the group carried out deadly shootings and kidnappings of Israelis. It killed hundreds of Israelis in suicide bombings during the second Palestinian intifada, or uprising, which erupted in late 2000.

As violence spread, the group started producing rudimentary "Qassam" rockets. Powered partly by molten sugar, the projectiles reached just a few kilometers (miles), flew wildly and caused little damage, often landing inside Gaza.

After Israel withdrew from Gaza in 2005, Hamas assembled a secret supply line from long time patrons Iran and Syria, according to Israel's military. Longer-range rockets, powerful explosives, metal and machinery flooded Gaza's southern border with Egypt. Experts say the rockets were shipped to Sudan, trucked across Egypt's vast desert and smuggled through a warren of narrow tunnels beneath the Sinai Peninsula.

In 2007, when Hamas fighters pushed the Palestinian Authority out of Gaza and took over governing the coastal strip, Israel and Egypt imposed their tight blockade.

According to the Israeli military, the smuggling continued, gaining steam after Mohammed Morsi, an Islamist leader and Hamas ally, was elected president of Egypt in 2012 before being overthrown by the Egyptian army.

Gaza militants stocked up on foreign-made rockets with enhanced ranges, like Katyushas and the Iranian-supplied Fajr-5, which were used during the 2008 and 2012 wars.

Homegrown

After Morsi's overthrow, Egypt cracked down on and shut hundreds of smuggling tunnels. In response, Gaza's local weapons industry picked up.

The Iranian narrative is that they kick-started all the missile production in Gaza and gave them the technical and knowledge base, but now the Palestinians are self-sufficient, said Fabian Hinz, an independent security analyst focusing on missiles in the Middle East. Today, most of the rockets we're seeing are domestically built, often with creative techniques.

In a September documentary aired by the Al-Jazeera satellite news network, rare footage showed Hamas militants reassembling Iranian rockets with ranges of up to 80 kilometers (50 miles) and warheads packed with 175 kilograms (385 pounds) of explosives. Hamas militants opened unexploded Israeli missiles from previous strikes to extract explosive materials. They even salvaged old water pipes to repurpose as missile bodies.

To produce rockets, Hamas chemists and engineers mix propellant from fertilizer, oxidizer and other ingredients in makeshift factories. Key contraband is still believed to be smuggled into Gaza in a handful of tunnels that remain in operation.

Hamas has publicly praised Iran for its assistance, which experts say now primarily takes the form of blueprints, engineering know-how, motor tests and other technical expertise. The State Department reports that Iran provides \$100 million a year to Palestinian armed groups.

The Arsenal on display

The Israeli military estimates that before the current round of fighting, Hamas had an arsenal of 7,000 rockets of varying ranges that can cover nearly all of Israel, as well as 300 anti-tank and 100 anti-aircraft missiles. It also has acquired dozens of unmanned aerial vehicles and has an army of some 30,000 militants, including 400 naval commandos.

In this latest war, Hamas has unveiled new weapons like attack drones, unmanned submarine drones dispatched into the sea and an unguided rocket called "Ayyash" with a 250-kilometer (155-mile) range. Israel claims those new systems have been thwarted or failed to make direct strikes.

The Israeli military says its current operation has dealt a tough blow to Hamas' weapons research, storage and production facilities. But Israeli officials acknowledge they have been unable to halt the constant barrages of rocket fire.

Unlike guided missiles, the rockets are imprecise and the vast majority has been intercepted by Israel's Iron Dome defense system. But by continuing to frustrate Israel's superior firepower, Hamas may have made its main point.

"Hamas is not aiming for the military destruction of Israel. Ultimately, the rockets are meant to build leverage and rewrite the rules of the game," Hinz said. "It's psychological."

ICT IN INDIAN COURT CHALLENGES & SOLUTION

Recently, the Supreme Court's e-committee, headed by Justice D Y Chandrachud, is tasked with integrating digital technologies in courts to enhance judicial productivity and efficiency.

Concerns associated with database in judiciary

Lack of complete and correct judicial data: The 245th Law Commission report noted the lack of complete data as a great handicap in making critical analysis and more meaningful suggestions, while pointing out instances of wrong data being provided to the Commission by the High Courts.

Current system to collect and publish data not fully efficient: It can be attributed to the lack of a well-designed system with trained professionals to collect and publish such statistical data.

Different High Courts follow different methods: The data collection from different locations includes different practices of case categorisation and standards of computing the institution, disposal and pendency of cases.

Data is not present in machine-processable format: In the absence of machine-readable granular data, it is not possible for researchers and case publishers to take either a big-picture or a district-by-district view of the system.

Significance of Centralised Database for Justice System

Easy to organise data from different sources: The advantages of the database being centralised are that it is much easier to organise, edit, update and back-up the data.

Easier communication between different departments: It is easier if the data is held on one central computer rather than spread over several and there are no real disadvantages to having a centralised database.

Ease of administration/monitoring: Because all database connectivity is handled by Intelligence Server, keeping track of all connections to all databases in the system is easy.

Data redundancy and duplication is minimized: The single-site storage, location and maintenance of a centralized database enable organizations to access and manage their data more easily. It improves accuracy and reduces the costs of data storage and processing.

Enhance Information Security: A centralized database maximizes data security because the data is held within a single system, as opposed to across a range of locations and systems and it is only required to manage security in one location.

Challenges of Centralised Database for Justice System

Absence of data protection laws in India: The Interoperable Criminal Justice System (ICJS) will integrate existing centralised data systems such as the CCTNS, e-prisons and e-courts and promising seamless exchange of live data.

The critics have raised privacy concerns because the absence of data protection laws in the country.

Violation of Article 50 which separates judiciary from executive: The experts have questioned the implications of the data being housed in the home ministry for judicial independence.

Police are allowed to maintain records of the lives and movements of people: The gravest injustice of being labelled as a “habitual offender” (HO) is that it hinges entirely on police suspicion, discretion and conventional knowledge, which are informed by caste prejudices.

The utilization of ambiguous, outdated provisions to create biased offline databases with no oversight is undoubtedly illegal.

Doing away the right of accused to challenge the record: An interoperable system creates potential for this information to be used to the detriment of accused persons without their knowledge.

Existence of British-era rule regarding habitual offender: The e-committee’s vision to integrate all existing data systems to make ICJS one expansive centralised data system would essentially feed and sustain the myth of criminality of a “habitual offender”.

The efficiency and digitisation cannot recede the rights and dignities of marginalised individuals who are often the subjects of our criminal justice system.

Road ahead

Collective effort towards collection of data: The Minister of Law & Justice has written to the Chief Justices of all High Courts asking them to make efforts towards collection of judicial statistics.

Statistical division for collecting and publishing judicial data: The National Court Management Systems Report had urged all High Courts to hire trained professionals to handle judicial statistics.

All High Courts are required to have a statistical division for collecting and publishing judicial data.

National Judicial Data Grid: It collects real time information on judicial statistics from all District Courts and High Courts on the e-courts system.

Establishment of office similar to Office of the Chief Statistician of India: It is essential that the Courts seek the help of trained professionals in order to ensure effective data collection and maintenance.

National Policy on Official Statistics: It will not only help the judiciary and the Government, but will also help other stakeholders in undertaking research and analysis to help the judiciary in its endeavour to become more streamlined and efficient.

It will also facilitate a policy of transparency and accountability in the judicial system, and promote engagement with various stakeholders such as the litigants, academics, and the civil society.

India's Act East Policy so far and beyond – Minding the Gaps

Recently, the relation between Singapore and India got a little bit tense due to New Delhi Chief Minister's recent remarks about a Singapore variant of Covid reaction.

Although the External Affairs ministry was quick to disown the critical comments, many Indian policymakers and foreign policy analysts presented a wider and larger challenge to India's standing in Southeast Asia as a whole.

Three developments over the past five years are testing Indian diplomacy in the region. First, the rising profile of China combined with growing China-India tensions; second, disappointment in the region with India's economic under-performance; and, third, rising concern in the region with India's approach towards its minorities, especially Muslims and Christians.

These developments warrant a review of domestic politics and how it impacts the Act East policy of India.

Evolution of Act East Policy

Ever since 1992 when Prime Minister PV Narasimha Rao enunciated a "Look East Policy" reaching out to Southeast Asia, India has engaged the region on all fronts — diplomatic and security, economic and people-to-people.

Prime Ministers Atal Bihari Vajpayee and Manmohan Singh built on Narasimha Rao's foundation and constructed a robust relationship with the Association of Southeast Asian Nations (ASEAN), so much so that in 2007 Singapore's founder-mentor, Lee Kuan Yew, a longstanding India sceptic, went to the extent of naming China and India as the two engines of Asian economic growth.

Continuing this approach, present Prime Minister Narendra Modi graduated Look East into an Act East policy.

Importance of India's Act East Policy

Growth in economic relations with ASEAN countries: India and the ASEAN have signed two trade agreements in goods and services, creating one of the biggest trade areas with a market of 1.8 billion people and a combined GDP of about US\$3 trillion.

Increase in private investments in Indian infrastructure: A good deal of ASEAN private investment has also flowed into India in many sectors including construction of ports, highways, and food processing, shipping, and auto components.

Development of India's Northeastern region (NER): India's Act East Policy is closely connected with its long-term vision of developing its Northeastern region (NER) which is considered as a gateway to Southeast Asia.

The connectivity projects in the NER will foster greater integration not only within the NER, but also externally with neighbouring countries.

Fulfilment of Strategic and geo-political interests: India has now forged strategic partnerships with Indonesia, Vietnam, Malaysia, Japan, South Korea and Australia.

In addition, it has also established close links with countries of the BIMSTEC group of countries and the IOR.

Promotion of regional cooperation and integration: The present Act East lays great emphasis on the connectivity programmes that link India's Northeast region with ASEAN countries.

India's Act East policy has a strong synergy with Japan's Free and Open Indo-Pacific and South Korea's New Southern Policy.

All three recognise the centrality of the ASEAN region and their economic and strategic interests converge in the Indo-Pacific and provide a great opportunity for mutual cooperation.

What is going wrong with India's Act East Policy?

India's decision to move away from regional trade grouping: India's economic slowdown and inward orientation, expressed through the decision to stay out of the Regional Comprehensive Economic Partnership (RCEP) agreement, disappointed regional business.

While ASEAN and Indian governments tried to maintain good relations, Southeast Asia's powerful business groups, mostly ethnic Chinese, began losing interest in India.

Socio-political turmoil in Indian region: The growing concern about Hindu majoritarianism in India has impacted civil society attitudes in countries like Indonesia, Malaysia, Thailand and Singapore.

The growing assertion of a Hindu personality by India's present ruling dispensation has weakened India's soft power, globally and in this region.

Slowly becoming Act Indo-Pacific policy: India believes in an Indo-Pacific that is free, open and inclusive, and one that is founded upon a cooperative and collaborative rules-based order.

India has placed the 'Indo-Pacific' at the heart of its engagement with the countries of South, Southeast and East Asia.

Delay in funding of projects: The Ministry of External Affairs (MEA) depends on the Ministry of Finance (MoF) for funding, whereas the MoF depends on the Prime Minister's Office (PMO) for political and statutory directions.

The bureaucratic process often acts as hurdles, delaying the projects or funding.

Regional developments testing Indian diplomacy: The rising profile of China combined with growing China-India tensions and the disappointment in the region with India's economic under-performance.

There is rising concern in the region with India's approach towards its minorities, especially Muslims and Christians.

China's accelerated rise since the trans-Atlantic financial crisis: The growing assertiveness of the Xi Jinping regime initially generated a strong pro-India sentiment in the region with many ASEAN countries wanting India to balance China's enhanced power.

Weakened trade contacts of India with the region: The developments have weakened the business-to-business (B2B) and people-to-people (P2P) connect between India and ASEAN despite the best efforts of hard-pressed diplomats.

Measures to be adopted to address India's Act East Policy

Completion of tasks promised in the Delhi Declaration 2018: The three sets of tasks are worth mentioning:

First, complete and scale up the digital connectivity projects in Cambodia, Lao PDR, Myanmar and Vietnam;

Second, complete the Trilateral Highway (TH), resume the replacement of 69 bridges along the TH and negotiate the Trilateral Motor Vehicle Agreement (MVA); and

Third, continue with the high impact projects such as fellowships for integrated Ph.D. programmes to ASEAN scholars and set up a network of universities to encourage greater inter-university exchanges between ASEAN and India

Empowerment of Northeastern states in Act East Policy: The Act East through the North East can flourish if the central and state governments work towards improving the connectivity in the region, particularly at the border areas.

Increased focus on BIMSTEC: It is the natural connector of South and Southeast Asia.

The countries must enhance the negotiation process to conclude BIMSTEC MVA, BIMSTEC coastal shipping agreement, and BIMSTEC TFA.

SMEs drive the business within and across borders: It is important to give special focus on SMEs which can build effective business networks across borders.

The projects such as the ASEAN–India SMEs Forum, special fund, etc., would fillip to trade and investment as well as integrating our producers and manufacturers in regional value chains.

Development cooperation projects: It should be put in fast-track by avoiding cumbersome documentation and bureaucratic procedures.

The EXIM Bank of India should open branches in all South, Southeast and East Asian countries and Pacific and also strengthens the resources of their existing outfits.

Cooperation and synergy among multiple stakeholders: The greater coordination between Prime Minister's Office, Ministry of Finance, and Ministry of External Affairs is essential in implementing the Act East projects.

Increase in development of tourism industry: Tourism is the most immediate 'money-making' opportunity, which has the potential to improve the connectivity between India and Southeast Asia.

Tourism is the most immediate 'money-making' opportunity, which has the potential to improve the connectivity between India and Southeast Asia.

The air connectivity between Northeast India and Southeast Asia is immediately needed to unlock opportunities.

Expansion of scope of Act East Policy: India must add Bangladesh and Sri Lanka in our AEP.

A prosperous Bangladesh offers opportunities for India's Eastern and Northeastern states.

Strengthen border infrastructure, logistics and last-mile connectivity: The construction of ICP projects should be completed and equip the ICPs with high-speed Internet, food testing laboratories, warehousing including cold chains, security, banking facilities, skilled human resources, etc.

Road ahead

Indian diplomacy must take a fresh look at its Act East policy and the constraints being imposed on it by unsatisfactory economic performance and sectarian and communal politics at home.

The faster cross-border economic engagements, particularly in the North East, will wipe out the insurgency, which is the main constraint for expansion of trade and investment.

The states must encourage the start-ups which are exporting processed food, organic fruits and vegetables, flowers, high-end fashion products through borders.

The time is ripe for India to establish a strong economic partnership with Southeast and East Asia and other Indo-Pacific countries.

IN A PANDEMIC, THE POWER OF THE RUMOUR

Covid-19 is the first pandemic in history where technology and social media are being used on a massive scale, and widespread dissemination of health rumours has been rampant, prompting the World Health Organization (WHO) to also call the pandemic and “infodemic”.

Infodemic is an overabundance of information that makes it difficult for people to identify truthful and trustworthy sources from false or misleading ones.

In the present state of emergency, health information specifically on social media, is often published, shared, and re-shared. Irrespective of its veracity, the fake news frequently leads to the spread of misinformation and rumours under the guise of truth.

One such fear misinformation is about the Covid-19 vaccine. Due to this, Vaccine hesitancy was named as one of the top 10 threats to global health by WHO.

Pandemic & Infodemic Linkage

Paradigm Shift: There is a paradigm shift from the 20th-century ecosystem dominated by print and broadcast media to an increasingly digital, mobile and social media dominated ecosystem.

The lack of filtering on online platforms negates any authentication mechanisms.

Cognitive Overload of Information: The pandemic gives rise to confusion, ambiguity, anxiety, and uncertainty, which, in turn, may lead to increased transmission of health rumours.

The accuracy, veracity, and perceived credibility of the source are ignored, more so on social media where users are already cognitively overloaded with too much information.

Public's Coping Mechanism: Many studies have found that during a crisis (e.g. natural disaster, terror attack, global pandemic), sharing rumours works like a coping mechanism.

People draw a false sense of relief, such that anxiety or fears associated with the uncertain situation is momentarily reduced.

However, in the long-run, during a pandemic, prior research finds that health rumours, exchanged in a community, can instil fear.

Systemic Baggage: In a developing country like India, the rumor-mongering stems from distrust in health institutions and experts, misunderstanding related to herd immunity, fear related to rapid vaccine development.

These factors reinforce the conspiracy theories and misinformation circulating widely on social media.

Road ahead

Leveraging Positive Role of Social Media: Though social media is acting as a fertile ground for dangerous rumour-mongering, it can act as an indispensable source of vital information.

Thus, governments and health agencies must establish an engaging web presence to debunk misinformation and fill the knowledge gaps.

Further, engaging celebrities and social media influencers can motivate people who are less eager to take the vaccine.

Responsibility of Social Media Platforms: Social media platforms such as Facebook, YouTube, and WhatsApp should be proactive in adding features that allow users to access verified information

Also, they must double their efforts in flagging misinformation and rapidly removing health rumours.

Information Hygiene: Though Covid-19 and social media have highlighted the importance of maintaining personal hygiene, the conversation about information hygiene must now happen in the society. Information hygiene includes:

- Verifying the authentic source of fact.
- Double checking with some fact checking website.
- Asking some expert opinion on that particular issue.
- Applying rational thinking while going through forwarded news on social media.
- Applying these ideas before sharing the same.

While India's core crisis today is vaccine shortage, and data on hesitancy is inadequate, it would be a mistake to ignore the role of the latter as supplies shore up. The challenge will not be in supply, but ensuring that citizens understand that a vaccine is the most effective protective mechanism that is currently known and available. Putting the rumours to rest is a national imperative.

HOW INDIA CAN BE 'ATMANIRBHAR' FOR EDIBLE OIL PRODUCTION?

Numerous commodity exporting nations that are either suppliers to, or opponents, to India in the global sector have produced the Globe Trade Organisation (WTO) an arena to spar with India.

Agricultural commodities in issue involve pulses and vegetable oils that India imports in sizeable portions and sugar that India has been exporting in recent many years.

Why India needs to become self-reliant in oilseed production?

Increase in aggregate demand of edible oils: According to the latest data, each Indian consumed 19.5 kg of edible oil every year on an average during 2015-16, up from 15.8 kg in 2012-13.

It amounts to an aggregate demand of around 26 million tons of edible oils per year.

Burden on the government's exchequer: In 2019, India imported around 15 million tons of edible oils worth approximately Rs 7,300 crore, which accounted for 40 per cent of the agricultural imports bill and three per cent of the overall import bill of the country.

Over dependence on the international market for edible oils: It causes price volatility affecting both the consumers and producers.

The labour shortage in palm oil plantations of Indonesia and Malaysia, drought in Argentina affecting soyabean production, lower production of sunflower crops in Ukraine and rigorous buying of edible oils by China, impacted price of edible oils in domestic as well as international markets.

Potential to increase the domestic production of oilseeds: It could reduce the import dependence and also benefit the farmers.

The Technology Mission on Oilseeds and other policy initiatives have helped India increase the area under oilseeds in India from 9 million tons in 1986 to 32 million tons in 2018-19.

The initiatives like Oil Palm Area Expansion under Rashtriya Krishi Vikas Yojana, increasing the minimum support prices of oilseed crops, creation of buffer stock for oilseeds, cluster demonstration of oilseed crops, etc. are being implemented by the government to boost the domestic production.

Challenges faced by oilseed production in India

International challenge to India's oilseed production: There is an attack on India's bold plan to move up domestic oilseeds output so as to reduce dependence on vegetable oil imports which price tag about \$10 billion in foreign trade yearly.

The WTO member-countries are questioning India primarily concerning incentives to oilseed growers to boost output.

Domestic production can meet only 30 per cent of the total demand: India cultivated oilseeds on 25 million hectare of land, producing 32 million tons of oilseeds in 2018-19, with soybean, rapeseed and mustard and groundnut accounting for almost 90 per cent share in the area.

Policy of excessive import of lower quality and cheaply-priced edible oils: It has dampened the prospects of domestic oilseed farmers, who could not get proper prices and so shifted to growing other crops.

The current disruptions in production of oilseeds, especially palm oil imported from Malaysia, is another aspect of how badly managed the oil industry policy in India is.

Opposition to development of vegetable oil industries: The rapid spread of large plantations owned by big companies has been repeatedly opposed in several parts of the world because of the threats they pose to biodiversity and the ecology.

Its low health value and clear unsuitability for water-stressed areas has been widely questioned.

Ecological impact of oil palm cultivation: It generally involves higher use of chemical fertilizer and pesticide, which adversely impact the natural fertility of soil and pollute water.

How India can become self-reliant in oilseed production

India is well-equipped to become self-reliant in edible oils: It has the suitable natural conditions to produce several nutritious oilseeds including groundnut, mustard, coconut, sesame, rapeseed, cottonseed, and others of great value.

Indian farmers have special skills in growing oilseed crops, which mix well with other crops using traditional mixed farming systems and crop-rotation.

The reservoirs of skills at the village-level reflects in its small-scale oilseed processing and extraction units which produce high-quality oil whose by-product is the nutritious oil-cakes used in local dairies.

Prospect of financial support from the government: The government, which earns 350 billion rupees (\$4.77 billion) from levies on edible oil imports, can easily set aside 40 billion rupees a year for crop diversification, through more taxes on such imports.

Higher output of oilseeds and fewer imports of oils will boost farmers' incomes, create jobs in the domestic crushing industry and help save precious foreign exchange.

Policies focused on oilseed production: India needs to learn from countries like Malaysia and Italy, who have managed to sell their edible oil worldwide, which in return has contributed to their economy.

Measures to be adopted to address oilseed production

Registration and monitoring of imports: The government must mandate that all vegetable oil import contracts will have to be registered with a designated authority.

Wide scale adoption of improved agricultural technologies: Based on a rough estimate, 3.6 million tons of additional oils can be produced by means of bridging the yield gap, assuming 1.5 tons per ha as a realizable yield.

Support to farmers growing oilseed: The farmers need to be made aware about all newer varieties and provided with access to good quality seeds.

The cluster demonstrations and other extension activities in this line can be promoted.

Expansion of area under oilseed crops by utilising fallow land: India has 11.7 mha of rice fallow, which can be used for the cultivation of safflower and mustard crops, which don't need much water.

Increase in cultivation of oil palms over other vegetable oils: The oil palm is the highest oil yielding plant in the world and has a critical role to play in meeting the vegetable oil requirements.

The oil palm has the potential to produce 20-25 MT fresh fruit bunches (FFB) per hectare after attaining the age of 5 years.

Road ahead

The Ministry of Agriculture has studied that India has the potential to expand the area under oil palm by 1.9 million hectares, which can produce around 7.6 million tons of additional edible oil.

India has tinkered with tariff rates very frequently in the recent past depending on the demand-supply situation and domestic prices to regulate the imports and to protect the interest of the consumers.

A stable and equitable trade policy with clear direction will provide clear price signals for different market stakeholders and boost the domestic production of oilseed crops.

India must carefully evaluate how it plans to meet the growing edible oil demand in a way that checks distorting trends and which is better for small farmers, the environment and sustainability.

The government of India should formulate a favourable policy, which provides a fresh impetus to our oilseed economy that benefits all stakeholders in the ecosystem.

INDIA VARIANT AS GLOBAL CONCERN

India has recorded the **world's sharpest spike in coronavirus** infections, with major cities running out of hospital beds, oxygen and medicines.

Scientists are studying what led to the unexpected surge, and particularly whether a variant of the novel coronavirus first detected in India is to blame. The variant, named B.1.617, has been reported in 17 countries, raising global concern.

The B.1.617 variant contains two key mutations to the outer “spike” portion of the virus that attaches to human cells, said senior Indian virologist Shahid Jameel.

The World Health Organization (WHO) said the predominant lineage of B.1.617 was first identified in India last December, although an earlier version was spotted in October 2020.

On 10 May 2021, the WHO classified it as a “variant of concern,” which also includes variants first detected in Britain, Brazil and South Africa. Some initial studies showed the Indian variant spreads more easily.

There is increased transmissibility demonstrated by some preliminary studies,” Maria Van Kerkhove, WHO’s technical lead on Covid-19, said, adding it needs more information about the Indian variant to understand how much of it is circulating.

VUI, VOU & VOC

The World Health Organisation on 10 May 2021 classified a coronavirus variant first identified in India as a “global variant of concern”. This variant called **B.1.617** was classified as a **variant under investigation** (VUI) by authorities in the UK earlier in May. It has already spread to more than 17 countries and several countries have put travel restrictions for passengers coming from India as a result of the surge in cases here.

The WHO says that a variant of interest (VOI) becomes a variant of concern (VOC) if, through a comparative assessment, it has been demonstrated to be associated with increase in transmissibility or detrimental change in COVID-19 epidemiology, increase in virulence or change in clinical disease presentation or a decrease in effectiveness of public health and social measures or available diagnostics, vaccines, therapeutics. Alternatively, a variant may be classified as a VOC by the WHO in consultation with the **WHO SARS-CoV-2 Virus Evolution Working Group**.

Recently, the Indian government said that this variant also called the “**double mutant variant**” could be linked to a surge in the cases of coronavirus seen in some states. This admission was a change in the Centre’s previous stance when it said that the **strain was not identified in enough samples** to establish a sufficient link to the current surge. Even so, the government said that the link was not “fully established”.

Earlier in March, India’s Health Ministry said that a new “double mutant variant” of the coronavirus had been detected in addition to many other strains or variants of concern (VOCs) found in 18 states in the country.

B.1.617 was first designated as a VUI on 1 April 2021 by the UK health authorities who requested India to send samples of the B.1.617 strain to carry out wider studies on it and determine how effective existing vaccines are against it.

Variants of a virus have one or more mutations that differentiate it from the other variants that are in circulation. While most mutations are deleterious for the virus, some make it easier for the virus to survive.

Essentially, the goal of the virus is to reach a stage where it can cohabit with humans because it needs a host to survive. This means, any virus is likely to become less severe as it keeps evolving, but in this process it can attain some mutations that may be able to escape the body’s immune response or become more transmissible.

The SARS-CoV-2 virus is evolving fast because of the scale at which it has infected people around the world. High levels of circulation mean it is easier for the virus to change as it is able to replicate faster.

The B.1.617 variant of the virus has two mutations referred to as E484Q and L452R. Both are separately found in many other coronavirus variants, but they have been reported together for the first time in India.

The **L452R mutation** has been found in some other VOIs such as B.1.427/ B.1.429, which are believed to be more transmissible and may be able to **override neutralising antibodies**. The WHO has said that laboratory studies suggest that samples from individuals who had natural infection may have reduced neutralisation against variants which have the E484Q mutation. Public Health England (PHE) says that if the variants of SARS-CoV-2 are considered to have concerning epidemiological, immunological or pathogenic properties, they are raised for formal investigation.

At this point, the variants emerging from the B.1.617 lineage are designated as Variants Under Investigation (VUI) with a year, month, and number (For instance, the three variants first identified in India are called VUI-21APR-01, VUI-21APR-02 and VUI-21APR-03) by PHE. Following a risk assessment with the relevant expert committee, the variants identified in India may be designated Variant of Concern (VOC) by the UK health authority.

The US Centers for Disease Control and Prevention (CDC), on the other hand classifies variants into three categories– variant of interest (VOI), variant of concern (VOC) and variant of high consequence. In the US, the B.1.526, B.1.526.1, B.1.525 (previously designated UK1188 and first identified in the UK), and P.2 (identified first in Brazil) variants. On the other hand, the B.1.1.7, B.1.351, P.1, B.1.427, and B.1.429 variants circulating in the US are classified as variants of concern.

The CDC defines a VOI as, “A variant with specific genetic markers that have been associated with changes to receptor binding, reduced neutralization by antibodies generated against previous infection or vaccination, reduced efficacy of treatments, potential diagnostic impact, or predicted increase in transmissibility or disease severity.” While a VOC is defined as “A variant for which there is evidence of an increase in transmissibility, more severe disease (e.g., increased hospitalizations or deaths), significant reduction in neutralization by antibodies generated during previous infection or vaccination, reduced effectiveness of treatments or vaccines, or diagnostic detection failures.” So far, the CDC has not found variants of high consequence in circulation in the US.

ARE VARIANTS DRIVING THE SURGE IN CASES?

It's hard to say. Laboratory-based studies of limited sample size suggest potential increased transmissibility, according to the WHO.

The picture is complicated because the highly transmissible B.117 variant first detected in the UK is behind spikes in some parts of India. In New Delhi, UK variant cases almost doubled during the second half of March, according to Sujeet Kumar Singh, director of the National Centre for Disease Control. The Indian variant, though, is widely present in Maharashtra, the country's hardest-hit state, Singh said.

Prominent US disease modeller Chris Murray, from the University of Washington, said the sheer magnitude of infections in India in a short period of time suggests an “escape variant” may be overpowering any prior immunity from natural infections in those populations.

“That makes it most likely that it's B.1.617,” he said. But Murray cautioned that gene sequencing data on the coronavirus in India is sparse and that many cases are also being driven by the UK and South African variants.

Carlo Federico Perno, Head of Microbiology and Immunology Diagnostics at Rome's Bambino Gesù Hospital, said the Indian variant couldn't alone be the reason for India's huge surge, pointing instead to large social gatherings.

DO VACCINES STOP IT?

One bright spot is that vaccines may be protective. White House chief medical adviser Anthony Fauci said that preliminary evidence from lab studies suggest that Covaxin appears capable of neutralizing the variant.

Public Health England said it was working with international partners but that there is currently no evidence that the Indian variant and two related variants cause more severe disease or render the vaccines currently deployed less effective.

OSIRIS-REX BEGINS JOURNEY BACK

On 11 May 2021, NASA's **Origins, Spectral Interpretation, Resource Identification, Security, Regolith Explorer (OSIRIS-REx)** spacecraft will depart asteroid Bennu, and start its two-year long journey back to Earth. OSIRIS-REx is NASA's first mission to visit a near-Earth asteroid, survey its surface and collect a sample from it.

In October 2020, the spacecraft briefly **touched asteroid Bennu**, from where it collected samples of dust and pebbles. Bennu is considered to be an ancient asteroid that has not gone through a lot of composition-altering change through billions of years, which means that **below its surface lie chemicals and rocks from the birth of the solar system.**

Therefore, scientists and researchers are interested in studying this asteroid as it might give those clues about the origins of the solar system, the sun, the Earth and the other planets.

Asteroids are rocky objects that orbit the Sun, much smaller than planets. They are also called minor planets. According to NASA, 994,383 is the count for known asteroids, the remnants from the formation of the solar system over 4.6 billion years ago.

Bennu is an asteroid about as tall as the Empire State Building, located about 200 million miles away from the Earth. Scientists study asteroids to look for information about the formation and history of planets and the sun since asteroids were formed at the same time as other objects in the solar system. Another reason for tracking them is to look for potentially hazardous asteroids.

Bennu is named after an Egyptian deity. The name was suggested by a nine-year-old boy from North Carolina in 2013, who won NASA's "Name that Asteroid" competition. The asteroid was discovered by a team from the NASA-funded Lincoln Near-Earth Asteroid Research team in 1999. So far, we know that Bennu is a B-type asteroid, implying that it contains significant amounts of carbon and various other minerals. Because of its high carbon content, the asteroid reflects about four per cent of the light that hits it, which is very low when compared with a planet like Venus, which reflects about 65 per cent of the light that hits it. Earth reflects about 30 per cent. Around 20-40 percent of Bennu's interior is empty space and scientists believe that it was formed in the first 10 million years of the solar system's creation, implying that it is roughly 4.5 billion years old. As per high-resolution photographs taken by the spacecraft, the surface of the asteroid is covered in massive boulders, making

it more difficult to collect samples from its surface.

There is a slight possibility that Bennu, which is classified as a Near Earth Object (**NEO**), might strike the Earth in the next century, between the years 2175 and 2199. NEOs are comets and asteroids nudged by the gravitational attraction of nearby planets into orbits which allow them to enter the Earth's neighbourhood.

Bennu is believed to have been born in the **Main Asteroid belt** between Mars and Jupiter and because of gravitational tugs from other celestial objects and the slight push asteroids get when they release absorbed sunlight, the asteroid is coming closer to Earth.

In October 2020, the spacecraft contacted the surface of the asteroid successfully and fired a burst of nitrogen gas meant to stir rocks and soil. Once the surface was disturbed, the spacecraft's robotic arm captured some samples. The spacecraft's engineers have also confirmed that shortly after the spacecraft made contact with the surface, it fired its thrusters and "safely backed away from Bennu".

When the spacecraft finally returns in September 2023, it will bring back the largest sample collected by a NASA mission since the Apollo astronauts collected samples of Moon rock.

"There is **no straight path back to Earth**. Like a quarterback throwing a long pass to where a receiver will be in the future, OSIRIS-REx is traveling to where the Earth will be. The spacecraft will circle the Sun twice, covering 1.4 billion miles (2.3 billion kilometers) to catch up with Earth, NASA said in a statement.

Scientists will use the asteroid samples to study the formation of the solar system and of habitable planets such as Earth. NASA will also distribute a part of the samples to laboratories worldwide and will reserve about 75 per cent of the samples for future generations who can study it with technologies not yet created.

OSIRIS-REx mission

This is NASA's first mission meant to return a sample from the ancient asteroid. The mission is essentially a seven-year-long voyage and will conclude when at least 60 grams of samples are delivered back to the Earth. As per NASA, the mission promises to bring the largest amount of extraterrestrial material back to our planet since the Apollo era.

The mission was launched in 2016, it reached its target in 2018 and since then, the spacecraft has been trying to match the velocity of the asteroid using small rocket thrusters. It also utilised this time to survey the surface and identify potential sites to take samples. The spacecraft contains five instruments meant to explore Bennu including cameras, a spectrometer and a laser altimeter.

A VIEW FROM INSIDE INDIA'S CRUMBLING HEALTH INFRASTRUCTURE

The three-tiered basic health infrastructure topped by district hospitals for tertiary care has been in place for years but it has completely failed to come to the rescue of the hapless rural population during the second wave of coronavirus pandemic.

Why India's Healthcare infrastructure is crumbling?

Increase in population density: The three tiers I.e. sub-centres, primary health centres (PHCs) and community health centres (CHCs) have increasingly become incapable of handling patients.

As per the latest Human Development Report 2020, India has eight hospital beds for 10,000 people in comparison to China which has more than four for just 1,000.

Healthcare centres disobeying government norms: The high proportion of healthcare infrastructure are not even conforming to the government's own minimum standards for healthcare facilities, including such basics as water supply, electricity, operation theatres or labour rooms, and X-ray machines.

Only 4% of sub-centres, 13% PHCs and 9% CHCs conform to Indian Public Health Standards (IPHS) which lay down detailed norms for what facilities should be provided at each level.

Uneven distribution of healthcare staff: There is equally chilling the chaos in health personnel placements with some states having excessive staff while others are grossly deficient, but all show major shortfalls in specialists and technicians.

Neglect and gross underfunding from the government: The funds for the National Health Mission under which this whole rural health system runs are shared between the Central government and the state governments on 60:40 basis.

The Central government is much better placed financially to support the system than the state governments but over the years, there has not been much effort to provide funding for this system.

Insurance based models: The emphasis has shifted to the insurance-based model which effectively puts the private hospitals centre stage, at the cost of the publicly funded lower tiers of primary healthcare.

Large population is not getting basic healthcare facilities: The increasing role of private sector has not only pushed millions into poverty and debt during the pandemic, but it has also brutally deprived the poorer sections of any healthcare

in this time of crisis.

Opportunity of developed health infrastructure

Increased budget allocations: India's spending on healthcare i.e. less than 1.5 per cent of the GDP, has been among the lowest in the world while in developed countries, it is somewhere between 10-18 per cent.

The money is being used to strengthen public health facilities and infrastructure for testing, treatment and development of ICU beds.

The money is also being used for installation of oxygen generators, cryogenic oxygen tanks and medical gas pipelines in public health facilities and procurement of bed side oxygen concentrator.

Infrastructure development: The Indian healthcare sector, which grappled with the lack of basic infrastructure, was not equipped to address a colossal crisis like the COVID-19.

The country has become self-reliant in the manufacture of medical devices, personal protective equipment (PPE) and ventilators.

Adoption of new technologies: The pandemic has prompted tech startups across the globe to explore leading-edge innovations to assist the administrations and healthcare workers to tackle the virus spread.

The digital health technology can facilitate pandemic strategy and response in ways that are difficult to achieve manually.

Role of public health sector: India's scanty expenditure on the public health sector has forced millions of people to seek medical services from the private sector which remains largely unregulated.

The pandemic has underscored the need to revamp the public health system, by augmenting the health infrastructure and human resources.

Role and regulation of private sector: The private sector brings 3.3 per of the GDP to healthcare in India and during the pandemic, it was found that the sector filling several gaps in the public healthcare delivery.

The pandemic has provided the government a better opportunity to rework on the strategies to strengthen the public-private partnership and assist the private sector in realising public health goals.

Measures to be adopted to address crumbling health infrastructure

Strengthening and refurbishing the local public health centres (PHCs): These should be equipped and manned to deal with all emergency medical care, except for rare occurrences.

The objective should be that no patient has to travel beyond 10 to 15 km in urban areas, and 20 to 25 km in rural regions for healthcare.

Coordination and facilitation of decentralised programme: A managing group can be created, comprising representatives from various related departments and organisations at the district level.

The managing group should be headed by the district magistrate or his senior nominee who can work out an action plan, and enumerate the responsibilities for different ground level officers and departments.

Development of district managing group: It can be formally notified, and bestowed with special administrative and financial powers to deliver prompt and uninterrupted services as may be defined by the state government.

- ✓ Notify and commandeer all or listed medical care centres within the district territory, public or private, to provide notified medical services during the public health emergency;
- ✓ Make all logistics arrangements well in advance by engaging public and private assets;
- ✓ Develop medical centres with required specialisation services and the capacity in anticipation of the demand;
- ✓ Maintain and upgrade existing (PHCs), ensuring, particularly in rural areas, replacements for missing medical officers, engaging additional medical and technical staff through innovative sources;
- ✓ Upgrading and using the healthcare apparatus of institutions like municipal bodies, and panchayats, and drawing on the support of anganwadi workers, and specially hired volunteers;
- ✓ Declare containment zones, and to also ensure that citizens meticulously abide by the precautionary advisories and instructions;
- ✓ Tackle cases of leakage, black-marketing of essential medical supplies;
- ✓ Fix priorities and place special focus on rural areas in terms of speedy testing, tracing and vaccinating; and
- ✓ Keep the general populace informed daily of the medical and other facilities available. And to meet daily to ensure clearing of bottlenecks and to course-correct if needed.

Constitution of public health emergency cell: It should be created by state/ UT comprising senior officials from all related departments, to be the focal point of decision making.

The state governments should also share information and progress through dashboards and other technology tools, and invite suggestions.

Public health emergency requires perfect administration: Each state should see that such a capable implementing machine is driven by passionate team leaders and no bureaucratic rules should be allowed to obstruct the missionary spirit required here.

Road ahead

- It is a truism that without proper implementation a policy is merely a good-intentioned statement as the Indian bureaucracy can help plug the gaps and swiftly create healthcare structures, accessible in any grave eventuality as well as normal times.
- The development of the existing PHCs, which generally have plenty of open space and ramshackle structures, through public-private partnerships can be a win-win situation.
- A bottom-up approach will not only help blunt any possible surge in the Covid wave but will also build the much-needed health infrastructure.
- The government needs to develop a comprehensive healthcare policy, keeping in mind that the small clinics and nursing homes are the backbone of the country's primary and secondary healthcare.
- The pandemic has emphasized the increased demand to bring regulatory reforms in the private health sector which should be made accountable to both the government and the public.

HUNGER AND FOOD SECURITY IN THE TIMES OF COVID-19

With millions of families already in deep distress due to the first wave, we must look beyond the issue of oxygen and pay attention to abject hunger among the millions of people in the country.

Reasons for increasing hunger crisis in India

Poor and marginalised sector is often ignored by government: The lack of food and rations is a big visible crisis but this visibility is limited to migrants whom we could see and till the time they were in the larger cities.

The moment migrant population move away from cities and reach into villages, they often get out of radar and their needs were largely ignored by governments, agencies and the media.

The first wave of the pandemic was proof that Indian villages are not really part of development agendas, and even in times of crisis they come last.

Lack of work for daily wage workers: The employers are driving down the rates for daily wages with increasing supply.

Coronavirus exacerbates India's hunger problem: The pandemic has reportedly intensified food insecurity in India, with the hunger crisis gripping vast swaths of rural hinterland and some urban areas.

The UN World Food Programme has estimated that COVID-19 will increase the number of people facing acute food insecurity around the world.

Lack of involvement of private sector: The concern exists that many urban poor, slum dwellers and those returning to their villages are not part of the support system and continue to miss out food support from the government food support.

The concern about declining private sector support is widespread, as with passing time some of the beneficiaries of these programmes may not continue to get the support and yet, still depending on the humanitarian support.

Why India needs to address hunger crisis?

- **State of Hunger in India:** According to FAO estimates in 'The State of Food Security and Nutrition in the World, 2020 report, 189.2 million people are undernourished in India.
- 34.7% of the children aged under five in India are stunted (too short for their age), while 20% suffer from wasting, meaning their weight is too low for their

height.

- **Diminishing role of farmers:** The farmers are merely seen as providers of our food, and distressed farmers as migrant workers or labour in our factories, buildings and homes.
- **Food supply system in jeopardy:** The experts say that the hunger crisis is not due to the shortage of food production but the government's efforts have failed to improve the situation.
- **India's vulnerability to climate change:** The increasing frequency of extreme events all together pose a serious challenge to the food and nutrition security scenario in the country.

Consequences of hunger crisis

Economic Impact

- ✓ The high food prices would have different effects on net sellers and net buyers but the net buyers are large in number including all urban poor and majority of rural poor.
- ✓ The increase in food prices erodes the purchasing power of the poor as the incomes of the poor will fall and those who are near (and above) the poverty line are likely to become poor.
- ✓ The rising food, commodity and oil prices have increased the general inflation.
- ✓ The higher food prices can reduce economic activity in the country as inflation will reduce consumption, savings and investment.

Social Impact

- The rise in food prices would worsen nutrition especially among infants (0-24 months), pregnant and lactating mothers.
- The food price rise would affect the food consumption of households which in turn reduces consumption of women and children.
- The rise on food prices could increase incentives for producers but, due to constraints on input supplies and other factors, the past evidence suggests that higher prices may not necessarily stimulate production by female farmers.
- The decline in food consumption and expenditures on health would have impact on nutrition of children.

Steps taken by government to tackle hunger crisis

- **One Nation One Ration Card (ONOR) Scheme:** The beneficiaries can lift their entitled foodgrains from any ePoS (electronic Point of Sale device) enabled Fair Price Shop (FPS) of their choice by using their same/existing

ration cards with biometric authentication on the ePoS device.

- **Mid-day meals:** The mid-day meal programme provides daily meals to over 120 million children between classes 1 and 8 in all government and government-aided schools with nutritious cooked meals.
- **Integrated Child Development Services (ICDS):** It provides 100 million children under 6 years of age and pregnant and lactating mothers with cooked meals and take-home rations.
- **National Food Security Mission:** It aims to increase production through area expansion and productivity, create employment opportunities and enhance the farm-level economy (i.e. farm profits) to restore confidence of farmers.

Measures to be adopted to address hunger crisis

- ✓ **Coordination among key stakeholders:** The steps in establishing a high-powered empowered group at the centre and in the states and subsequent engagement of the highest leadership at different levels and among partners is key in resolving hunger crisis.
- ✓ **Expansion of coverage of social safety nets:** There is a need to work towards ensuring that the large number of vulnerable people who are currently out of food based social safety-nets are all included into the food system across all states given the Centre is spending a vast amount of resources.
- ✓ There could also be provision made to introduce food for assets scheme promoting afforestation or community infrastructure programme.
- ✓ **Diversification of the food basket of social safety-nets and feeding behaviours:** There is a need to expand the food basket to ensure that all key nutrient requirements are fulfilled.
- ✓ The strategies such as nutri-garden/kitchen gardens, micronutrient supplementation and fortification along with direct cash distribution should promote better nutritional outcomes.
- ✓ **Surveillance system for food and nutrition security and engagement with NGOs:** There is a potential emergence of new hotspots with respect to food and nutrition security with movement of migrant labourers, loss of wages and livelihood at various locations.
- ✓ The continued engagement by NGOs can help fill blind spots and complement government efforts.
- ✓ **Integration of tracking systems of the three food-based safety nets under NFSA:** It will be opportune to collectively look at all three food-based interventions and integrate their data on beneficiaries to promote complementarity and further enhancement of their effectiveness and their impact.

- ✓ **Supporting agriculture and allied sectors:** It is crucial to closely watch emerging concerns in the availability of farm inputs such as labor, agricultural inputs, machinery and finance, so that the farming system continues to run uninterrupted.
- ✓ **Focus on SGD 2:** The SDGs aim to end all forms of hunger and malnutrition by 2030, making sure all people, especially children, have sufficient and nutritious food all year.

Road ahead

- The government needs to step up its efforts to overcome the food shortage crisis because India needs a universal Public Distribution System (PDS) of food to ensure that nobody goes hungry during the pandemic.
- The food security in India's post-COVID-19 phase will influence the country's growth in more ways than one, so strengthening the same with timely and strategic initiatives will define how India fares tomorrow.
- India needs to design more supportive, sustainable, and long-term food and agriculture policies with expanded investment in food production and research.
- The governments need to partner with the international community to ensure access to targeted safety nets for vulnerable groups.
- There is a need to empower the institutions and the governance structure that gives voice to farmers, poor people in rural areas, and the hungry in general, wherever they are.

REFORMING THE TRIBUNALS

Recently, the Centre has **abolished several appellate tribunals and authorities** and transferred their jurisdiction to other existing judicial bodies through the **Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance 2021**.

Features of Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance 2021

- It dissolves certain existing appellate bodies and transfers their functions (such as adjudication of appeals) to other existing judicial bodies.
- The **Finance Act, 2017** empowered the central government to notify rules on:
 - ✓ Qualifications of members of tribunals;
 - ✓ Terms and conditions of their service; and
 - ✓ Composition of search-cum-selection committees for 19 tribunals (such as the Customs, Excise, and Service Tax Appellate Tribunals)
- The Ordinance amends the 2017 Act to include provisions related to the composition of search-cum-selection committees and term of office of tribunal members in the Act itself.

Search-cum-selection committees: The 2017 Act specifies that the Chairperson and Members of the Tribunals will be appointed by the central government on the recommendation of a Search-cum-Selection Committee.

The Ordinance specifies that these Committees will consist of:

- The Chief Justice of India, or a Supreme Court Judge nominated by him, as the Chairperson (with casting vote),
- Two Secretaries nominated by the central government,
- The sitting or outgoing Chairperson, or a retired Supreme Court Judge, or a retired Chief Justice of a High Court, and
- The Secretary of the Ministry under which the Tribunal is constituted (with no voting right).

Term of office: The Ordinance specifies that the term of office for the Chairperson of the tribunals will be of four years or till the attainment of the age of seventy years, whichever is earlier.

- For other members of the tribunals, the term will be of four years or till the

age of sixty-seven years, whichever is earlier.

National Consumer Disputes Redressal Commission: The Ordinance includes the National Consumer Disputes Redressal Commission established under the Consumer Protection Act, 2019 within the purview of the Finance Act, 2017.

The Ordinance removes the following bodies from the purview of the Finance Act, 2017:

- The **Airport Appellate Tribunal** established under the Airports Authority of India Act, 1994,
- The **Appellate Board** established under the Trade Marks Act, 1999,
- The **Authority of Advanced Ruling** established under the Income Tax Act, 1961, and
- The **Film Certification Appellate Authority** established under the Cinematograph Act, 1952.

Constitutional validity of tribunals in India

- The **original Constitution did not contain provisions** with respect to tribunals but the 42nd Amendment Act of 1976 added a new Part XIV-A to the Constitution.
- **Article 323 A** empowers the Parliament to provide for the establishment of administrative tribunals for the adjudication of disputes relating to recruitment and conditions of service of persons appointed to public services.
- ✓ It enables the Parliament to take out the **adjudication of disputes relating to service matters** from the civil courts and the high courts and place it before the administrative tribunals.
- The Parliament has passed the **Administrative Tribunals Act in 1985** which authorises the Central government to establish one Central administrative tribunal and the state administrative tribunals.

The **Central Administrative Tribunal (CAT)** exercises original jurisdiction in relation to recruitment and all service matters of public servants covered by it.

- ✓ Its jurisdiction extends to the **all-India services**, the **Central civil services**, **civil posts** under the Centre and **civilian employees of defence** services.
- ✓ The **members of the defence forces, officers and servants of the Supreme Court** and the **secretarial staff of the Parliament** are **not** covered by it.

Under Article 323 B, the Parliament and the state legislatures are authorised to provide for the establishment of tribunals for the adjudication of disputes relating to the following matters:

- ✓ Taxation, Foreign exchange, import and export, Industrial and labour, Land reforms, Ceiling on urban property, Elections to Parliament and state legislatures, Food stuffs and Rent and tenancy rights

Article 136 of the constitution empowers the Supreme Court to grant special leave to appeal from any judgment, decree, order, determination, sentence or order passed or made by any tribunal in India.

Article 227 enables every High Court to exercise power of superintendence over all tribunals throughout the territories over which it exercises jurisdiction.

Challenges faced by tribunals in India

Abrupt abolition of Tribunals by government: The Ordinance has met with sharp criticism for not only bypassing the usual legislative process, but also for abolishing several tribunals without any stakeholder consultation.

- ✓ There was no judicial impact assessment which was conducted prior to abolishing the tribunals through this Ordinance.

Unavailability of National Tribunal Commission: The Centre is yet to constitute a National Tribunals Commission (NTC) to take care of administrative and infrastructural needs of the tribunals.

- ✓ The idea of an NTC was first mooted in *L. Chandra Kumar v/s Union of India* (1997), but it has still not seen the light of day.

Tribunals serve the political interest: The lack of institutional framework allows the partisan interests to allow the twisting of laws in order to serve political or private interests.

Interference of executives in tribunal system: In India, the executive interference in the functioning of tribunals is often seen in matters of appointment and removal of tribunal members.

- ✓ It is also observed in the provisions of finances, infrastructure, personnel and other resources required for day to day functioning of the tribunals.

Lack of specified procedure: The administrative adjudicatory bodies do not have any rigid set of rules and procedures which makes them vulnerable to violation of the principle of natural justice.

Scope of Arbitrariness: The civil and criminal courts work on a uniform code of procedure as prescribed under Civil Procedure Code (CPC) and Code of Criminal Procedure (CrPC) respectively but the administrative tribunals have no such stringent procedure.

Arguments in favour of National Tribunal Commission

Overcoming the government's inertia in establishing NTC: It will be an independent umbrella body to supervise the functioning of tribunals, appointment of and disciplinary proceedings against members.

- ✓ The commencement of dialogue and promoting awareness about the NTC is vital for overcoming the government's inertia in establishing such a body.

Promotion of transparency and independence: The establishment of an independent oversight body such as NTC, for accountable governance requires a legal framework that protects its independence and impartiality.

Support uniform administration across all tribunals: It could pave the way for the separation of the administrative and judicial functions carried out by various tribunals.

Corporatised structure of NTC: A Board, a CEO and a Secretariat will allow the NTC to scale up its services and provide requisite administrative support to all tribunals across the country.

Perform duties relating to administration and oversight: It could set performance standards for the efficiency of tribunals and their own administrative processes.

- ✓ It could function as an independent recruitment body to develop and operationalise the procedure for disciplinary proceedings and appointment of tribunal members.
- ✓ The administrative roles of the NTC include providing support services to tribunal members, litigants, and their lawyers.

Maintain independence of tribunals: The NTC having the authority to set members' salaries, allowances, and other service conditions, subject to regulations, would help maintain tribunals' independence.

Road ahead

- ✓ The NTC must be established vide a constitutional amendment or be backed by a statute that **guarantees it functional, operational and financial independence.**
- ✓ The way to reform the tribunal system is to look at **solutions from a**

- systemic perspective** supported by evidence.
- ✓ The establishment of the NTC will definitely entail a **radical restructuring of the present tribunals system**.
 - ✓ The basic feature of tribunals has to be **crystallized and preserved in reality by the formation of NTC**, which will have the sole duty of selecting, supervising and removing the appointees to ensure that the tribunals are occupied with man of integrity and good character.
 - ✓ It will enable **timely appointment and would eliminate the current practice of extending the tenure** solely due to failure to approve appointments.

WHY SOCIAL SECURITY NEEDS UNIVERSALIZATION?

The ongoing coronavirus pandemic has affected large section of Indian society especially the **poor and marginalised population** and it has called for **universalization of social security in India.**

Why Social Security needs universalization?

Poor and Marginalized section pushed towards poverty: An unprepared government has rendered low paid, informal workers, who constitute 91% of the workforce, totally hapless, pushing them further into poverty.

Large number of informal workers is outside the ambit of any social security: The absence of definite and unambiguous provisions in the social security code would complicate achievement of universal registration of beneficiaries from informal sector.

Absence of Cooperative Federalism: Providing holistic social security cover for the unorganised workforce in a simple and effective manner is something lost in the Centre State labyrinth and jurisdictional or institutional overlap.

Lack of maternity benefit for women in unorganized sector: The definition of 'Establishment' in the proposed code did not include the unorganised sector.

The women engaged in the unorganised sector would remain outside the purview of maternity benefit.

Existing laws have failed: The laws have been a non-starter, with poor registration of workers, practically no funds earmarked, and no schemes formulated under the law.

It is necessary to acknowledge that the existing laws and schemes have failed to cover most of the workers in the unorganised sector and have failed to provide meaningful benefits.

Significance of Universalization of Social Security

Protection of vulnerable section of the society: The universalization of certain schemes is conceded to be a better alternative because it would ensure security for all the workers and citizens, including elderly in the country.

Low operational cost of schemes: The universalization has its advantage as it is easy to monitor, and has very low administrative costs in comparison to other schemes.

Improvement in sex ratio of the country: Another dimension of universal pension scheme can be that preference for a male child as a support in old age could come down though this area needs further research to empirically establish a causal relationship.

Promotion of economic growth: The adequate social security enhances economic growth and reduces the burden of tax financed schemes through generation of additional revenue.

Central role in reducing and preventing poverty: The social protection systems play a key role in reducing inequality, social exclusion and social insecurity.

- ✓ The combined effect of social security transfers on poverty reduction among the respective groups of the population should be better acknowledged and measured.

Role of Social Security Code in achieving universalization

Creation of social security fund: It seeks to establish a social security fund and tap the corporate social responsibility fund to offer unorganized sector workers medical, pension, death and disability benefits via the employee's state insurance corporation.

Increase in role of national government: It will empower the central government to exempt select establishments from all or any of the provisions of the code and makes Aadhaar mandatory for availing benefits under various social security schemes.

- ✓ It will offer flexibility to the government lower the EPFO monthly contribution by employees to boost their take home salary.

Formalization of informal sector: Under the new code, every employer and contractor will be obliged to maintain registers and deliver returns every month to the State Board providing details of the employees in respect of whom contributions become due.

Concerns associated with Social Security Code

Ambiguity and overlapping of laws: The legal framework as proposed in the Code and Rules implies that the basic onus lies on informal workers registering as beneficiaries.

- ✓ Similar provisions are already there in existing social security schemes run by State governments under the Unorganized Workers' Social Security Act,

2008.

Digital Illiteracy: The online registration places a further challenge as most informal workers lack digital literacy and connectivity. The informal workers also find it difficult to furnish all documentary papers required as part of the registration process.

Absence of tangible employer-employee relation: Most informal workers are footloose casual workers (26% of all workers) and self-employed (46% of all) and they move from one place to another in search of livelihoods.

Furnishing proof of livelihood and income details in the absence of tangible employer-employee relations is very difficult.

Maternity benefit under SS code is not universal: Under the SS Code, the provision of maternity benefit has not been made universal.

The maternity benefit is presently applicable for establishments employing 10 workers or more.

Centralisation of social security: While the SS Code espouses universalization and claims to cover every worker, it keeps the power to fix the threshold for eligibility under the Code with the Central government.

Measures to be adopted to achieve universal social security

Inter-State cooperation is must: It becomes imperative because unorganised workers are spread across the length and breadth of India.

Increase in role of central government: It should conceptualize a basic structure, which if successful, should be adopted by States after necessary customization.

Implementing rights-based social protection and anchoring rights in law: It calls for the establishment of social protection floors and higher levels of protection by law. The only way of effectively guaranteeing social security rights is to specify clearly by law the role, responsibilities and rights of all the parties concerned.

Social solidarity is a prerequisite for universal social protection: It strengthens social cohesion and social peace, and it is a powerful weapon against poverty and inequality, and an effective instrument for making societies more equal and just.

Inclusive social protection systems: These are important tools to work towards social inclusion and equality, including gender equality, and to address inequalities and discrimination.

Step up efforts to reach basic income security: In order to close social protection gaps, contributory (social insurance) schemes and non-contributory schemes are essential components of national social protection floors, with a view to securing at least basic income security for all.

Road ahead

- ✓ The provision of social security could be used to **formalise the workforce to a certain extent** and employers should be made to own up to the responsibility of providing social security to their workers.
- ✓ The state has a responsibility but the **primary responsibility still lies with employers** since they are taking advantage of workers' productivity.
- ✓ A well-defined social security programme needs to be **welfare oriented, inclusive, wider-based and better implemented.**
- ✓ It would be advantageous to have universal schemes at least for the next few decades, until India achieves a **better per capita income and has achieved total eradication of poverty.**

HOW HAS INDIA'S POLICY ON ISRAEL AND PALESTINE EVOLVED OVER THE YEARS?

On 17 May 2021, **India's permanent representative to the United Nations, T S Tirumurti**, made a carefully crafted statement at the UN Security Council **"open debate"** on the **escalating Israel-Palestine violence**, striving to maintain balance between **India's historic ties with Palestine** and its **blossoming relations with Israel**.

The statement, the **first India has made on the issue**, appears to implicitly hold Israel responsible for triggering the **current cycle of violence** by locating its beginnings in **East Jerusalem rather than from Gaza**. The request that both sides refrain from **"attempts to unilaterally change the existing status quo including in East Jerusalem** and its neighbourhoods" seems to be a message to Israel about its settler policy.

The statement was also emphatic that **"the historic status quo at the holy places of Jerusalem including the Haram al Sharif/Temple Mount must be respected"**. The site, **administered by Jordan, is revered in both Islam and Judaism**. Jewish worshippers are not allowed inside, but have often tried to enter forcibly.

The balancing was evident in the pointed condemnation of the **"indiscriminate rocket firings from Gaza"** on civilian targets in Israel, but not of the Israeli strikes inside Gaza; the customary omission since 2017 of any reference to **East Jerusalem as the capital of a Palestinian state**; and the hyphenation of **"Haram Al Sharif/Temple Mount"**, equating **claims of both Israel and Palestine**.

India's policy on the longest running conflict in the world has gone from being unequivocally **pro-Palestine for the first four decades**, to a tense balancing act with its three-decade-old friendly ties with Israel. In recent years, **India's position has also been perceived as pro-Israel**.

From Nehru to Rao

The balancing began with **India's decision to normalise ties with Israel in 1992**, which came against the backdrop of the break-up of the Soviet Union, and massive shifts in the **geopolitics of West Asia** on account of the **first Gulf War in 1990**. That year, the **Palestinian Liberation Organisation (PLO)** lost much of its clout in the Arab world by siding with Iraq and Saddam Hussein in the occupation of Kuwait.

The **opening of an Indian embassy in Tel Aviv in January 1992** marked an end to four decades of giving Israel the cold shoulder, as **India's recognition of Israel in 1950** had been **minus full diplomatic ties**.

PM Jawaharlal Nehru's reasoning for the **decision to recognise Israel** was that it was "**an established fact**", and that not doing **so would create rancour between two UN members**. But for long, all there was to show for the **bilateral relationship was a consulate in Mumbai, established in 1953**, mainly for issuing visas to the Indian Jewish community, and to Christian pilgrims. **This too shut down in 1982**, when **India expelled the Consul General for criticising India's foreign policy** in a newspaper interview. It was permitted to reopen only six years later.

In 1948, India was the only non-Arab-state among 13 countries that **voted against the UN partition plan of Palestine** in the General Assembly that **led to the creation of Israel**. Scholars ascribe various reasons for this **India's own Partition along religious lines**; as a new nation that had just thrown off its colonial yoke; solidarity with the Palestinian people who would be dispossessed; and to ward off **Pakistan's plan to isolate India over Kashmir**. Later, **India's energy dependence on the Arab countries also became a factor**, as did the sentiments of **India's own Muslim citizens**.

India and PLO

The **relationship with Palestine was almost an article of faith in Indian foreign policy** for over four decades. At the **53rd UN session, India co-sponsored the draft resolution on the right of the Palestinians to self-determination**. In the **1967 and 1973 wars, India lashed out at Israel as the aggressor**. In the 1970s, India rallied behind the PLO and its leader Yasser Arafat as the sole and legitimate representative of the Palestinian people.

In 1975, India became the first non-Arab country to recognise the PLO as the sole representative of the Palestinian people, and invited it to open an office in Delhi, which was accorded diplomatic status five years later. **In 1988, when the PLO declared an independent state of Palestine** with its capital in **East Jerusalem**, India granted recognition immediately. Arafat was received as head of state whenever he visited India.

Four years after the Narasimha Rao government established a **diplomatic mission in Tel Aviv, India opened a Representative Office in Gaza**, which later moved to Ramallah as the Palestinian movement split between the Hamas (which gained control of Gaza) and the PLO. New Delhi remained firmly on the side of the PLO, which was seen as ready for a political solution, and had accepted the two-state solution.

India voted in favour of the UN General Assembly resolution in October 2003 against Israel's construction of a separation wall. It voted for Palestine to become a full member of UNESCO in 2011, and a year later, co-sponsored the UN General Assembly resolution that enabled Palestine to become a "non-member" observer state at the UN without voting rights. India also supported the installation of the Palestinian flag on the UN premises in September 2015.

Changes after 2014

For two-and-a-half decades from 1992, the India-Israel relationship continued to grow, mostly through defence deals, and in sectors such as science & technology and agriculture. But India never acknowledged the relationship fully.

There were few high-profile visits, and they all took place when the **BJP-led NDA-1 under Prime Minister Atal Bihari Vajpayee was in office. Israel is Hindutva's ideal of a "strong state" that deals "firmly" with "terrorists".** Even back in the 1970s, the BJP's forerunner Jana Sangh had made the case for ties with Israel.

In 2000, L K Advani became the first Indian minister to visit Israel, and in the same year Jaswant Singh visited as Foreign Minister. That year, the two countries set up a joint anti-terror commission. And in 2003, Ariel Sharon became the first Israeli Prime Minister to visit India.

During the UPA's 10 years in office, the balancing act intensified, and **Mahmoud Abbas**, head of the Palestinian Authority that administers the West Bank, visited in **2005, 2008, 2010 and 2012.**

It was during **NDA-2** that the government under Prime Minister Narendra Modi decided to **take full ownership of the relationship with Israel.** The first indication of the new phase came with an **abstention by India at the UN Human Rights Council on a resolution welcoming a report by the HRC High Commissioner.** The report said it had evidence of alleged war crimes committed by Israeli forces and Hamas during the 2014 airstrikes against Gaza that killed over 2000.

The abstention was conspicuous because in 2014, India had voted for the resolution through which the UNHRC inquiry was set up. In 2016, India abstained again on a UNHRC resolution against Israel. But the big change was the status of the historic city that both Israel and Palestine claim.

East Jerusalem

A visit by **PLO chief Mahmoud Abbas in 2017** became the occasion for New Delhi to signal the substantive shift. Until then, in various statements, with its expression of support for a two-state solution, **India had always included a line in support of**

East Jerusalem as the capital of a Palestinian state.

The **reference to East Jerusalem went missing in Modi's statement** during Abbas's visit. **Pranab Mukherjee**, who in 2015 became the **first Indian President to visit Israel**, with a **first stop at Ramallah**, had also reiterated India's position on the city as the capital of an independent Palestine.

In February 2018, **Modi became the first Indian Prime Minister to visit Israel**. His itinerary did not include Ramallah. The word then was that India had **"de-hyphenated"** the Israel-Palestine relationship, and would deal with each separately. Meanwhile, **India continues to improve ties with Arab countries, especially Saudi Arabia and the UAE**, and feels vindicated by the decision of some Arab states to improve ties with Israel.

Balancing act

In fact, the **dehyphenation is actually a careful balancing act**, with **India shifting from one side to another** as the situation demands. For instance, even **as it abstained at UNESCO in December 2017, India voted in favour of a resolution in the General Assembly opposing the Trump administration's recognition of Jerusalem as the Israeli capital**.

At the **UNHRC's 46th session in Geneva** earlier this year, **India voted against Israel in three resolutions** – one on the **right of self-determination of the Palestinian people**, a second on **Israeli settlement policy**, and a third on the **human rights situation in the Golan Heights**. It **abstained on a fourth**, which asked for an **UNHRC report on the human right situation in Palestine**, including East Jerusalem.

In February, the **International Criminal Court** claimed jurisdiction to investigate human rights abuses in Palestinian territory including **West Bank and Gaza** and named both Israeli security forces and Hamas as perpetrators. Prime Minister Netanyahu wanted India, which does not recognise the ICC, to take a stand against it on the issue, and was surprised when it was not forthcoming.

That is because **India's own balancing act is a constant work of progress**. The latest statement is no different. Though it was **not pro Palestine**, it hardly **pleased Israel**. Netanyahu tweeted his thanks to all countries that "resolutely" stood by Israel and **"its right to self defense against terrorist attacks"**, by posting all their flags. The Tricolour was not among them.

WHAT IS HAMAS, HOW IT ROSE TO POWER & ITS ROLE IN ISRAEL-PALESTINE CONFLICT?

Over the past few days of **escalating conflict between Israel and Palestine**, **Hamas**, a militant organisation, has **come to the limelight once again**. They claim to have launched **several rocket attacks on Israel** as retaliation for incidents in **East Jerusalem** and **offensive action from Israeli Defence Forces**.

Ḥarakat al-Muqāwamah al-Islāmiyyah, or Hamas for short, is a **Palestinian Sunni-Islamic militant organisation** with a **significant presence in the Gaza strip** to the **west of Israel**. The organisation has **two wings** — **Dawah**, the **social service wing**, and **Izz ad-Din al-Qassam**, the **military wing**.

When Hamas, an Arabic word for 'zeal', emerged from 'Islamic Compound'

It was in June 1989 that Sheikh Ahmed Ismail Hassan Yassin, born in 1938 in Ashkelon — then known as Al Majdel — first admitted that he was the 'Father' of the Hamas movement after he and his son were tortured by Israeli soldiers during an interrogation in prison, according to *Inside Hamas: The Untold Story of the Militant Islamic Movement*, written by Palestinian journalist Zaki Chehab.

Chehab, who had gained significant access to some of the key players in Hamas, also wrote how despite being a quadriplegic, Yassin rose to become the militant group's spiritual leader from being an ordinary Arabic language elementary school teacher, whom the Palestinians greatly admired.

The journey started in 1978, when Yassin established an organisation with massive followers, which came to be known as 'Islamic Compound'. He also garnered support and collaborated with Egypt's Muslim Brotherhood and other Islamist groups across Gaza, Hebron, Nablus and Jerusalem.

As strife between Israel and Palestine continued to soar as the latter resorted to the First Intifada, or uprising, in December 1987, Hamas as an organisation led by Sunni-Islamic fundamentalists, began to take shape.

Yassin, now an undisputed leader of the Palestinian cause collaborated with others like Sheikh Salah Shehada from Islamic University in Gaza, Issa Al Nasshaar, an engineer from Rafiah and Abdul Fattah Dokhan, a headmaster among others to create Hamas. Their call was "Right! Force! Freedom", wrote Chehab.

Back then Hamas could gain immediate and immense popularity within the protesting Palestinians because it was able to fill the political space left by Yaseer Arafat's Palestine Liberation Organisation (PLO) which "moved towards the path of a

diplomatic settlement”, journalist Anton La Guardia wrote in his book, Holy Land, Unholy War: Israelis and Palestinians.

In 1987, riots and protests broke out against the **Israeli occupation of Gaza**, the West Bank and pockets within Israel in what is known as the **First Intifada**. The Hamas back then was in its nascent stages as a breakaway faction of the Egyptian Muslim Brotherhood. The co-founder of the organisation, Sheik Ahmed Yassin, revealed that Hamas aimed to **‘liberate Palestine’** from Israeli occupation from the geographical area, including **Israel, West Bank** and the **Gaza strip**. Hamas has since varied on finer details of its stance, including accepting a truce if Israel followed certain conditions.

Israel and Hamas have been at **loggerheads** ever since the **inception of the organisation**. Hamas has attacked Israeli civilians using homemade and short-range rockets, mortar shelling and other arms. Often, these attacks have been termed retaliatory for Israeli actions against the leadership of Hamas and making fresh settlements in **Palestinian territory**. Both actors have fought **three wars** since **Hamas took over control of Gaza** from **rival Palestinian forces in 2007**. An informal truce came about after regional powers and international actors influenced both entities.

Hamas won majority seats in the Palestinian Parliament in 2006 and the government since, leading to cutting off of financial assistance from the **UN, US, Russia and European Union** after Hamas rejected conditions of non-violence and recognition of Israel as a State. Foreign support for Hamas is fragmented as some countries including **Iran, Syria, Qatar and Turkey** are known to be supportive, whilst the **US, EU and Japan label them as terrorist organisation**. New Zealand, UK and Australia are among the countries that only list the military wing as a terrorist organisation.

In the recent flare-up between **Israel and Palestine**, Hamas has launched several rocket attacks in which at least **two Israelis have died**, whilst Israel’s attacks have killed over 35 Gazans. This is mainly attributed to the **homemade nature of Hamas’s rockets**, making it less effective, and **Israel’s Iron Dome air defence system** that **repels** rocket attacks.

Hamas has called for an intifada, or uprising, on the lines of the protests and riots of yesteryears with unrest spreading from **Jerusalem to Gaza**, most parts of the West Bank and Arab cities in Israel.

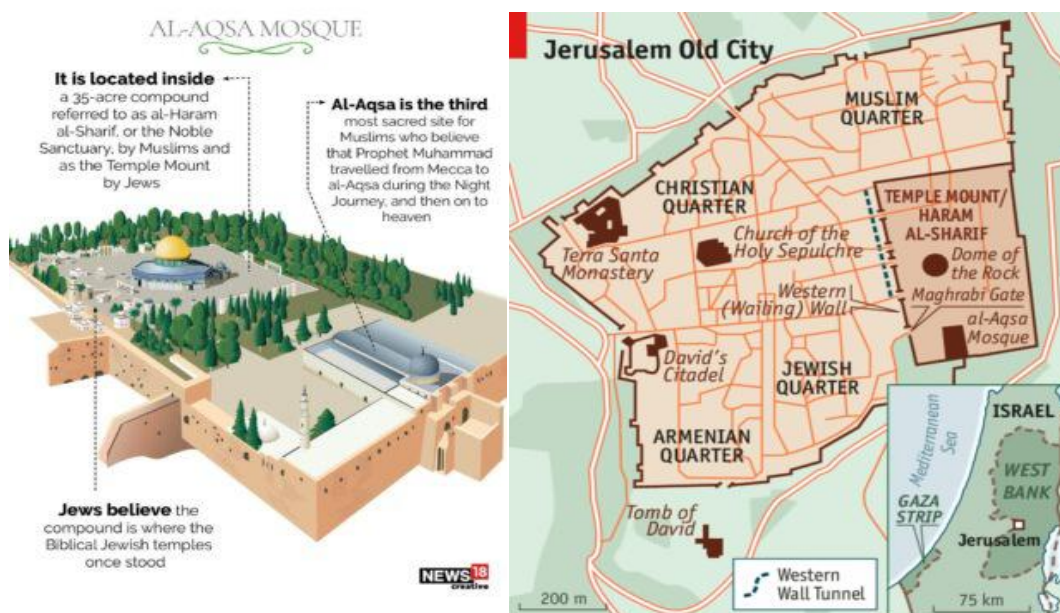
One of the triggers for the latest eruption is the threat of eviction of dozens of Palestinian families by Jewish settlers for over a month in Jerusalem. This led to protests and clashes with the police.

The **al-Aqsa mosque**, which is considered a holy site sacred for Muslims and Jews, has been the focal point of the recent escalation.

WHAT IS HAPPENING IN JERUSALEM?

Recently, Israeli armed forces attacked Al-Aqsa Mosque in the Haram esh-Sharif in Jerusalem, ahead of a march by Zionist nationalists commemorating Israel's capture of the eastern half of the city in 1967.

The threatened eviction of dozens of Palestinian families in the East Jerusalem neighborhood of Sheikh Jarrah escalated the crisis further.



Zionism is a worldwide Jewish movement that resulted in the establishment and development of the state of Israel and that now supports the state of Israel as a Jewish homeland.

Al-Aqsa Mosque:

It is one of the holiest structures in the Islamic faith. It sits inside a 35-acre site known by Muslims as Haram al-Sharif, or the Noble Sanctuary, and by Jews as the Temple Mount.

The site is part of the Old City of Jerusalem, sacred to Christians, Jews and Muslims.

It is believed to have been completed early in the eighth century and faces the Dome of the Rock, the golden-domed Islamic shrine that is a widely recognized symbol of Jerusalem.

The United Nations Educational, Scientific and Cultural Organization, UNESCO, has classified the Old City of Jerusalem and its walls as a World Heritage Site.

Conflict over Jerusalem:

Jerusalem has been at the centre of the Israeli-Palestinian conflict. According to the original 1947 United Nations (UN) partition plan, Jerusalem was proposed to be an international city.

But in the first Arab Israel war of 1948, the Israelis captured the western half of the city, and Jordan took the eastern part, including the Old City that houses Haram al-Sharif.

Israel captured East Jerusalem from Jordan in the Six-Day War 1967 and annexed it later.

Since its annexation, Israel has expanded settlements in East Jerusalem.

Israel sees the whole city as its “unified, eternal capital”, whereas the Palestinian leadership across the political spectrum have maintained that they would not accept any compromise formula for the future Palestinian state unless East Jerusalem is its capital.

Sheikh Jarrah Issue:

Hundreds of thousands of Palestinians were forced out of their homes when the State of Israel was created in historical Palestine in 1948.

Twenty-eight of those Palestinian families moved to Sheikh Jarrah in East Jerusalem to settle there.

In 1956, when East Jerusalem was ruled by Jordan, the Jordanian Ministry of Construction and Development and the UN Relief and Works Agency facilitated the construction of houses for these families in Sheikh Jarrah. But Israel would capture East Jerusalem from Jordan in 1967.

By the early 1970s, Jewish agencies started demanding the families leave the land. Earlier this year (2021), the Central Court in East Jerusalem upheld a decision to evict four Palestinian families from their homes in Sheikh Jarrah in favor of Jewish settlers. The issue remains unresolved and potentially inflammable.

India's Stand on Israel-Palestine Issue:

India recognised Israel in 1950 but it is also the first non-Arab country to recognise Palestine Liberation Organisation (PLO) as the sole representative of the Palestinian.

India is also one of the first countries to recognise the statehood of Palestine in 1988.

In 2014, India favored UNHRC's resolution to probe Israel's human rights violations in Gaza. Despite supporting the probe, India abstained from voting against Israel in UNHRC in 2015.

As a part of Link West Policy, India has de-hyphenated its relationship with Israel and Palestine in 2018 to treat both the countries mutually independent and exclusive.

In June 2019, India voted in favor of a decision introduced by Israel in the UN Economic and Social Council (ECOSOC) that objected to granting consultative status to a Palestinian non-governmental organization.

So far India has tried to maintain the image of its historical moral supporter for Palestinian self-determination, and at the same time to engage in the military, economic, and other strategic relations with Israel.

Related Developments:

In March 2021, International Criminal Court (ICC) launched investigations into the war crimes in Palestinian territories occupied by Israel (West Bank and the Gaza Strip). In April 2021, the US restored at least USD 235 million in financial assistance to the Palestinians.

Road ahead

The world at large needs to come together for a peaceful solution but the reluctance of the Israeli government and other involved parties have aggravated the issue more. Thus a balanced approach would help to maintain favorable relations with Arab countries as well as Israel.

The recent normalization agreements between Israel and the UAE, Bahrain, Sudan, and Morocco, known as the **Abraham Accords**, are the steps in the right direction. All regional powers should envisage peace between the two countries on line of Abraham Accords.

WHAT DOES US DEPARTURE FROM AFGHANISTAN MEAN FOR SOUTH ASIA?

Since it replaced Britain as the major external power, the US has been the pivot around which global and regional politics has played out. Many regional actors sought alliances with America to secure themselves against ambitious or troublesome neighbours.

In the Middle eastern region, Israel's security, ensuring oil supplies, competing with other powers, making regional peace, promoting democracy, and stamping out terrorism were the factors that demanded American military, political and diplomatic investments in the region.

Now, the US turns away from its priorities from the Middle East to the Indo-Pacific, it has sought to exit from Afghanistan. As the last **American troops begin to leave Afghanistan** it could have implications for the whole region and beyond.

Reasons for US Exit

Ending Endless Wars: After the costly and prolonged military interventions in the Middle East, the US has begun to see that it can't fix centuries-old conflicts in the region.

- ✓ The promise to end America's "endless wars" in the greater Middle East region was one of the central themes of former US President Donald Trump's foreign policy.
- ✓ The new US President is just maintaining the policy stance on this front.

Changing Priorities From Middle East to Indo-Pacific: US now sees China as revisionist power, challenging the US' hegemony around the globe.

- ✓ Thus, the US now has other urgent priorities such as the challenge from an assertive China and subsequently wants to shift its military, political and diplomatic resources from the Middle east to Indo-pacific.

Implication For the Middle Eastern Region

As America steps back from the Middle East, most regional actors either need alternate patrons or reduced tensions with their neighbours. Thus, learning to live with neighbours might then become an urgent priority. In this pursuit:

Normalization of Turkey: Turkey might realize that its troubled economy can't sustain the ambitious regional policies. After years of challenging Saudi leadership of the Islamic world, Turkey may normalise it's relations with Saudi Arabia & Egypt.

Normalization of Saudi-Iran Conflict: After years of intense mutual hostility, Saudi Arabia and Iran may now explore means to reduce bilateral tensions and moderate their proxy wars in the region.

- ✓ Saudi Arabia is also trying to heal the rift within the Gulf by ending the earlier effort to isolate Qatar.

Abraham Accords: These changes come in the wake of the big moves last year by some Arab states — the UAE, Bahrain, Morocco and Sudan — to normalise ties with Israel.

Implications for India

Return of Taliban: India and other neighbouring countries will have to live with the consequences that include the triumphal return of the Taliban to power in Afghanistan and a boost to violent religious extremism across the region.

- ✓ The prospect of trans-border links between the Taliban and other extremist forces in the region is also a challenge.
- ✓ Withdrawal of US troops could result in the breeding of fertile ground for various anti-India terrorist outfits like Lashkar-e-Taiba or Jaish-e-Mohammed.

Undermining India's Role in Afghanistan: The US withdrawal from Afghanistan poses major challenges to the Indian Subcontinent.

- ✓ For India, American military presence would have kept a check on extremist forces and created conducive conditions for an Indian role in Afghanistan.
- ✓ As Afghanistan is the gateway to Central Asia, the American exit might dampen India's interest in Central Asia.

Normalising India-Turkey Relations: India has managed to expand its ties with most regional actors in the middle east. However, Turkey has turned hostile to India under Erdogan.

- ✓ Hopefully, the new regional churn will encourage Turkey to take a fresh look at its relations with India.
- ✓ America's exit from Afghanistan will trigger a geopolitical flux in the region. As these factors will increasingly push India into a geopolitical tough spot in the region, smart statecraft, therefore, is required to deal with changing dynamics in Afghanistan.

HAS THE PUBLIC SECTOR OUTLIVED ITS PURPOSE?

Recently, the government has announced that it will be using three public sector enterprises (PSEs) for manufacturing Covaxin to augment the manufacturing capacity under Mission COVID Suraksha.

Apart from it, several PSEs in the steel, petroleum and natural gas sectors have supplemented the efforts of the government in making available liquid medical oxygen as well as transportation of it.

PSEs in India, since their inception, have played a pivotal role in realising the objective of achieving higher growth and equitable socio-economic development of the country. Their sustained contribution to the economic and social fabric of the country has become even more relevant in the present scenario.

Therefore, the recent decision has also revived the debate on the government's policy of minimising presence of PSEs' and creating new investment space for the private sector.

Relevance of PSEs

India, Not Yet A Developed Economy: Historically, PSEs have provided a very strong infrastructure base for the economy as well as for the industry.

- ✓ Further, PSEs were set up with socio-economic objectivity and not only profit have created a right kind of infrastructure for the economy.
- ✓ So to say the government has no business to be in doing business perhaps, to my mind, needs to be revisited.

Employment Creation: PSEs were regarded as one of the key generators of remunerative employment in the formal sector, providing safe and secure jobs.

Creation of Assets: The contribution of PSEs towards creation of national assets in the initial decades following Independence is particularly noteworthy, especially in sectors that are regarded as high risk and low return on investments by the private sector

Expanding Global Footprint: Indian PSEs are already present across the globe in regions such as the Middle East, Africa, Europe, Asia, Latin America and North America and there is tremendous potential for Indian CPSEs and PSEs to expand their global footprint further by enhancing their competitiveness.

Road ahead

Adopting PPP Model: There is a need to revisit the PSE policy, but more in terms of their functioning.

- ✓ These companies should be run by a professional board without government interference. These PSEs could be run under the PPP model or as JVs too

Systemic Reforms: For the industry's future growth and development, the government also needs to urgently focus on providing support in some key areas in the following domains: revival of PSUs, land, finance/banking/working capital, utilities and services, environmental issues and R&D.

Adopting a Competitiveness Model: CII Research report- The Rise of the Elephant' recommends adopting a Competitiveness Model for transforming CPSEs into efficient and globally competitive entities. The key elements of the model are:

- Clarity in Roadmap and Objective
- Role Demarcation
- Operational Independence
- Independent and Empowered Board
- Level Playing Field
- Future Ready

Yes, the private sector has a role to play in the growth of the economy, but what PSEs have contributed cannot be ignored, particularly in testing times like today. PSEs have time and again risen to the occasion and this time too it is no different.

INDIA MUST BE A FUNCTIONING SOCIAL DEMOCRACY

India is one of the **largest welfare states in the world** and yet, with COVID-19 striking in 2020, the state failed to provide for its most vulnerable citizens.

The covid crisis has revealed why we **need to remodel social sector policies and institute far-reaching governance reforms** for the sake of everyone's well-being.

India needs to make social welfare universal

India has become the state of multiple crises: The country witnessed multiple crises: mass inter- and intra-migration, food insecurity, and a crumbling health infrastructure during the coronavirus pandemic.

Large number of population is drifted into poverty: The coronavirus pandemic has led to extenuating circumstances which has pushed an estimated 75 million people into poverty.

Lack of availability of social capital: The Economic capital has proven to be insufficient in accessing healthcare facilities because of the absence of social capital.

Lack of last mile connectivity of social welfare schemes: India has over 500 direct benefit transfer schemes for which various Central, State, and Line departments are responsible but these schemes have not reached those in need.

Presence of poor quality public services: The developing countries suffer from poor quality public services and lack of other critical functions of the government such as social safety nets, public works, and law-and-order suffer from systemic weaknesses.

Poor health infrastructure: India spends a shockingly low percentage of GDP on health i.e. only 1.28%.

- It has been pointed out that India has one government doctor for nearly 11,000 people.

Overlooking the needs of vulnerable section: The large population of vulnerable group was largely left to ordinary citizens and social activists to come to their rescue with soup kitchens and other aid materials.

Importance of Universal Social Welfare

Ease of application: The presence of a universal system of social welfare would improve the ease of application by consolidating the data of all eligible beneficiaries under one database.

Better standard of living: The making of other schemes/welfare provisions like education, maternity benefits, disability benefits etc. also universal would ensure a better standard of living for the people.

Economic support for the vulnerable population: The social safety nets (social welfare policies) have emerged as one of the key policy levers in the hands of governments to address the immediate effects of the economic downturn.

- These schemes range from cash transfers to transfers in kind, such as food grains and other goods for essential consumption, attempting to ensure food security for all.
- These welfare schemes are targeted at the poor and the lower middle class, and informal sector workers, who make up a large proportion of the labour force in developing countries.

Creation of capabilities among the less privileged: The social security plan weaves a social safety net that provides security to the poor.

- It adopts policies of positive discrimination to enable groups of people to overcome the disadvantages of long-standing social and economic deprivations.

Welfare agenda is not about freebies: It rests on ensuring equal access to quality healthcare and education and equitable access to economic opportunities.

Development of a strong citizen-government bond: The building of a wide coalition of people who benefit from a pro-poor welfare agenda creates a strong link between the government and citizens.

Measures to be adopted for Universal Social Welfare

Lessons to be learned from other countries: Ireland has introduced the Poor Law System to provide relief that was financed by local property taxes.

- The social welfare system in Ireland has evolved into a fourfold apparatus that promises social insurance, social assistance, universal schemes, and extra benefits/supplements.

Cooperative federalism: It is required to map the State and Central schemes in a consolidated manner which aims is to avoid duplication, inclusion and exclusion errors in welfare delivery.

In-depth study of vulnerable groups in India: A study to understand costs of welfare access for vulnerable groups can be conducted which will help give a targeted way forward.

Development of social housing concept for migrant population: The informal sector workers, irrespective of whether they work in their home states or are economic migrants, need social housing that includes basic essential services such as regularised water supply and electricity.

Improvement in public health infrastructure: It has to be improved significantly so that pandemics do not overwhelm our health systems.

Development of far-reaching governance reforms: They are needed to ensure that public services are controlled and delivered by agencies at the appropriate level (national or sub-national) with clear mechanisms for social accountability.

Road Ahead

- ✓ The pandemic has revealed that leveraging our existing schemes and providing universal social security is of utmost importance which will help absorb the impact of external shocks on our vulnerable populations.
- ✓ The Pradhan Mantri Garib Kalyan Yojana (PMGKY) is one scheme that can be strengthened into universal social security which already consolidates the public distribution system (PDS), the provision of gas cylinders, and wages for the MGNREGS.
- ✓ The implementation of any of the ideas is only possible through a focus on data digitisation, data-driven decision-making and collaboration across government departments.
- ✓ There is now substantial evidence from across the world that for basic social security schemes such as old-age pension, universal coverage not only scores higher on equity, but is also administratively efficient and cost-effective.
- ✓ The securing of commitments to increase the level of social sector spending and to implement far-sighted and transformative reforms will prove vital in determining how prepared we are for the next crisis.

Read More – https://www.business-standard.com/article/opinion/things-india-must-do-to-be-a-functioning-social-democracy-120121101105_1.html

DECODING INEQUALITY IN A DIGITAL WORLD

A widely acclaimed book, **Automating Inequality**, alerted us to the ways that **automated decision making tools exacerbated inequalities** in the digital world.

Inequalities in Digital World are increasing

Accelerated use of digital technologies: The novel coronavirus pandemic has accelerated the use of digital technologies in India, even for essential services such as health and education, where access to them might be poor.

Lack of seamless movement of digital education: According to National Sample Survey data from 2017, only 6% rural households and 25% urban households have a computer.

Lack of access to internet: The access to internet facilities is not universal either because the coverage is only 17% in rural areas and 42% in urban areas.

- ✓ The surveys by the NCERT, the Azim Premji Foundation, ASER and Oxfam suggest that between 27% and 60% could not access online classes due to lack of devices, shared devices, inability to buy “data packs”, etc.

Lack of learning environment at home: A quiet space to study is a luxury for many students but 25% Indians lived in single room dwellings in 2017-19.

Abysmally low public spending on health: The share of ‘out of pocket’ (OOP) health expenditure (of total health spending) in India was over 60% in 2018.

Patients are over-burdened due to digi-work along with paperwork: The digital “solutions” create additional bureaucracy for all sick persons in search of health services without disciplining the culprits.

Consequences of inequality in Digital World

Increase in difficulties in registering for vaccination: The use of CoWIN to book a slot makes it that much harder for those without phones, computers and the Internet.

Lack of data protection laws in India: It is very likely that our health records will end up with private entities without our consent, even weaponised against us.

Inequalities have increased between firms and between workers: The distribution of both capital and labor income has become more unequal, and income has shifted from labor to capital.

- ✓ The interaction between technological change and market conditions as influenced by the prevailing policy environment has been a key factor driving income inequality higher.

Lack of communication and isolation: The people in remote areas who do not have access to the Internet are disconnected which is similar to urban residents who are disconnected which causes social isolation.

Barrier to studies and knowledge: The coronavirus crisis has shown the effects of the digital divide in education: teachers and students out of the loop because they lack sufficient technology and digital skills.

Accentuate social differences: The digital illiteracy reduces the chances of finding a job and accessing quality employment, which has a negative impact on the workers' economy.

Why to promote equality in Digital World?

Digital technologies offer leapfrog opportunities and help empower women: The Internet, digital platforms, mobile phones, and digital financial services, offer "leapfrog" opportunities for all.

It can help bridge the divide by giving women the possibility to earn (additional) income, increase employment opportunities, and access knowledge and general information.

Women have much to gain from boosting their use of digital tools: The online or video-based up-skilling and tutorials may especially help women make better use of digital tools and extract more value from them.

Compulsory education helps to eliminate the digital gender divide: The compulsory schooling is crucial to ensure that individuals gain the basic skills and competences needed for full participation in labour markets and society.

Removing obstacles to adult education is important: It calls for more flexible opportunities for adults to upgrade their skills and for co-ordination across institutions and actors, including education and training institutions, employers, but also social policy institutions.

Measures to be implemented for equality in Digital World

Revitalize Competition for the Digital Age: The competition policies should be

revamped for the digital age to ensure that markets continue to provide an open and level playing field for firms, keep competition strong, and check the growth of monopolistic structures.

Improve Innovation Ecosystem for Wider Technology Diffusion: The intellectual property regimes need to be better balanced so they reward innovation but also foster wider economic impacts.

Invest in Skills for a Changing World of Work: The advances in digitization, robotics, and artificial intelligence have led some to draw up dire scenarios of massive job losses from automation.

Revamp Labor Market Policies and Social Protection: It means shifting the focus from backward-looking policies, such as the stringent job protection laws that seek to keep workers in existing jobs, to forward-looking policies that encourage reemployment.

Alliance for Affordable Internet (A4AI): This project, led by an international coalition of governments, businesses and civil society, aims to lower the cost of broadband in specific areas in Africa, Asia and Latin America.

Road ahead

- The digital solutions will obfuscate and distract us from the real problem unless laws against medical malpractices are enforced strictly.
- The policies will need to be more responsive to change, which will only intensify as advances in artificial intelligence and other innovations take the digital revolution to another level.
- The Governments should ensure that new technologies are developed within a regulatory framework that prioritizes, protects and promotes women's human rights.
- The education and training on women's rights-compliant technology is needed for those designing, developing and using AI in decision-making.
- The gender advocacy must include mandating for responsible gender-sensitive design and use of machine learning models.

EDTECH NEEDS AN ETHICS POLICY

Since the onset of the pandemic, the **online education has replaced conventional classroom instruction** and it resulted in spawning of several EdTech apps which have become popular.

The education and technology are in a new and often **exhilarating partnership that continues to grow as new EdTech players pop up** around the world.

EdTech Needs an Ethics Policy

Privacy of students is at risk: The lack of a regulatory framework in India along the lines of the General Data Protection Regulation (GDPR) in Europe could impinge on the privacy of students who now use educational technology (EdTech) apps for learning.

Smooth transition of educational content online: Schools and colleges have been able to move their content delivery, engagement and evaluation from offline to online, and ensure minimal academic disruption.

Transformation of role of teachers and professors: The transition of educational content from offline to online has forced teachers to become facilitators in learning rather than being content providers.

Customization of learning experience for students: The EdTech apps have the advantage of being able to customize learning to every student in the system.

Applications and devices can enter private space of students: The apps collect large quantities of data from the learners through the gadgets that the students use to perform the process of learning customization.

- It provides data about the learner's surroundings along with intimate data like the emotions and attitudes experienced and expressed via facial expressions and body temperature changes.

Minimal Safeguards available for learners: In the EdTech industry, where investments are pouring in, the researchers and app developers are being pushed to be as intrusive as possible.

- The safeguards that traditional researchers are subject to are either missing or minimal in research that the EdTech industry promotes.

Lack of supervision on children: The children use these apps without parent or adult supervision and the intrusion of privacy can happen unnoticed.

Lack of concept of informed consent: It is not meaningful since there are no proper primers to explain to stakeholders the intricacies in layperson terms.

Significant role of Ethics Policy in EdTech

Take care of technology equipment: With malware and viruses running rampant, students must learn to watch what they download, click and share.

Explore appropriate and safe sites for learning and research: The teachers can provide a list of approved websites and students need to learn how to evaluate websites and assess whether they can trust the content.

Copyright law, Fair Use Act and Creative Commons matter: The students learn how to copy and paste without realizing the copyright implications.

- The understanding of copyright and related laws will help ensure students follow the rules in using and sharing content.

Help prevent cyberbullying: The anonymity of the internet and not seeing faces makes it easy to “say” things one would not utter in person.

- Teaching students about cyberbullying requires discussing not only its definition but also how hurtful and damaging it can be.

Self-image is important: Without seeing faces, people can easily overshare in a digital world.

- Kids need to learn how future employers look up candidates' social media accounts to see how they represent themselves in public.

Appreciation for Moral Considerations: The ability to identify and analyze conflicting and competing moral interests involved in any given situation is very important when faced with ethical dilemmas.

Features of Ethics Policy for EdTech

Informed Consent should be at the forefront: The researchers dealing with human subjects need to comply with ethics rules that committees of their respective research organisations formulate, along with global standards.

- One of the cardinal rules that should never be broken is informed consent.

Transparency in conducting research with students: A researcher working with children would have to convince schoolteachers, parents, and school managements about:

- ✓ The nature of the research to be undertaken;
- ✓ The type of data to be collected;
- ✓ The method of storage; and
- ✓ The potential harmful effects of such data.
- ✓ It should be done in writing, while giving the learner the option to opt out of the study at any point of time without any repercussions.

Requiring High Ethics from Everyone: The administrators need not only concern themselves with their own ethical standards but also with the ethical standards of others in their organization.

- ✓ It includes not only teachers and staff, but extends to students and parents.
- ✓ These standards must be communicated clearly and enforced without exception in order to be effective.

Inclusiveness: A sense of belonging is key to gaining trust within an organization, and trust a driving factor in success in any context but most especially within the educational context.

- ✓ The inclusiveness requires that all stakeholders be brought into process of making and implementing decisions.
- ✓ The consideration of and respect for members of the organization has been shown to motivate followers and lift morale, thereby increasing school performance and effectiveness.

Road ahead

- It is necessary to formulate an ethics policy for EdTech companies through the active participation of educators, researchers, parents, learners and industry experts.
- The policy draft should be circulated both online and offline for discussions and criticism.
- The issues of fairness, safety, confidentiality and anonymity of the user would have to be dealt with.
- The EdTech companies would have to be encouraged to comply in the interest of a healthier learning ecosystem.
- The ability to respond more creatively as a particular crisis unfolds is a helpful strategy and can provide another way to mitigate falsehoods and to protect an organization's reputation.
- The schools are uniquely charged with not only affecting the people who walk through their doors every day, but the transitory nature of the population means that administrators and staff have that much more of a responsibility to execute their jobs ethically.

PROTECTING PRISONERS: ON OVERCROWDING OF PRISONS

Recently, the latest order of the Supreme Court of directing the interim release of eligible prisoners has acquired salience in view of the uncontrolled second surge in the raging pandemic.

According to prison statistics for 2019, the Indian prisons have been housing more inmates than their capacity for decades now and this problem of overcrowded prisons is only getting worse.

Indian Prisons are overcrowded because

Prisons housing more inmates than capacity: As on 31 December, 2019, there were 4,78,600 inmates lodged in different prisons in India while they had a collective capacity to house only about 4,03,700 inmates.

It implies that the number of prisoners was 118.5% of the prison capacity, the highest since 2010.

Increase in state-wise distribution of prisoners: The analysis shows that the number of states and union territories reporting overcrowded prisons has increased from 18 in 2018 to 21 in 2019.

Large number of inmates are undertrials: In 2019, 69% of all prisoners were under trials and this figure has increased slightly in the last four years.

The convicts and undertrials share the same space in the prison because there is no separation of spaces between them.

Improper design of prison spaces: The prisons by design are not roomy spaces and when they are crowded, the space for each prisoner becomes even less.

Huge pendency of cases in Indian Judiciary: There is huge pendency of cases in courts primarily because of a poor judge-population ratio and there is lack of effective legal aid services in our country.

Consequences of overcrowded prisons

High risk of spreading coronavirus among prisoners: It is difficult to maintain the social distancing norms in an overcrowded prison because there is no way for them to be physically far from each other because there's just not enough space.

- The prisoners are also at a high risk of getting infected with an infection because of continued movement of prisoners in and out of prison premises.

Lack of capacity for new inmates: A major challenge for prisons is the influx of new inmates, who could bring in infection from outside.

Lack of spending from states on inmates: The expenditure on inmates is mainly for food, medical care, clothing, and vocational/education activities.

The report states that the average spending per prisoner has gone up by nearly 45% in four years between 2016-17 & 2019-20.

Implementation of committee recommendations is poor: The overcrowding, understaffing, and insufficient funds continue to plague Indian prisons and hence restrict their ability to act as reformation centers.

It compromises the provision and effectiveness of rehabilitation programmes, educational and vocational training, and recreational activities.

Basic necessities are impacted due to overcrowding: It undermines the ability of prison systems to meet basic human needs, such as healthcare, food, and accommodation.

Safety and security: The overcrowding has a major impact on the safety and security of prisoners and staff, where the prisoner to staff ratio increases, tensions can be high and prisoners angry and frustrated about the conditions in which they are held.

How to address overcrowding of prisons in India?

Implementation of 5-point action plan: The 5-point Action Plan to Reduce Prison Overcrowding to provide guidance to policy-makers on how to address prison overcrowding and mitigate its harmful consequences. It includes:

- investing in non-custodial alternatives to detention both pre-trial and post sentencing
- diverting minor cases out of the criminal justice system altogether
- investing in long-term strategies for crime prevention and reduction
- reducing high rates of pre-trial detention by improving access to justice
- making special or alternative arrangements for vulnerable groups, such as children, mothers with dependent children and people with mental health issues.

Developing comprehensive evidence based strategies: The governments are encouraged to develop comprehensive national strategies that are evidence based, respond to local circumstances and needs, and which foresee an alternative response to crime, with imprisonment being seen as a measure of last resort in line with international standards.

Political will and comprehensive criminal justice reform strategies: It is the need to adopt comprehensive criminal justice reform policies and programmes, responding to the causes and needs in a coherent and holistic manner.

Reviewing and re-categorizing offences: It would give the courts the possibility of imposing non-custodial sanctions and measures or shorter prison terms for a larger number of offences.

Taking prison capacity into account in the enforcement of pre-trial detention or prison sentences: The states are obliged by international law to protect the human rights of prisoners in their care, including by ensuring that they are treated with humanity and with respect for the inherent dignity of the human person.

Building the capacity of criminal justice actors: The efficiency and effectiveness of the system to deliver justice in accordance with established international and regional standards will largely depend on the main actors in the system.

- It is important to put in place mechanisms to attract the highest calibre of individuals to serve in the criminal justice system, through transparent and merit-based recruitment procedures.

Access to legal counsel during pre-trial detention: The right to prompt legal assistance upon arrest and detention is essential both in order to guarantee the right to an efficient defence and for the purpose of protecting the physical and mental integrity of the person deprived of his or her liberty.

Road ahead

- ✓ The settling of minor offenses outside of criminal court with informal or restorative justice solutions prevents the system getting bogged down unnecessarily.
- ✓ The investments in social policy can ensure that those facing criminal court also have better access to legal aid before their trials.
- ✓ The standardization and reducing sentence lengths can lower overcrowded prisons by routinely cutting sentences down to more manageable and suitable times.
- ✓ The United Nations Office on Drugs and Crime (UNODC) has developed a number of tools and handbooks that can serve Member States as practical guides in developing strategies, such as the Criminal Justice Assessment Toolkit on custodial and non-custodial measures.
- ✓ The successful strategies to reduce prison overcrowding are based on an integrated and sustained approach to enhancing the criminal justice process and are strengthened by in-depth understanding of the nature of the crime problem.
- ✓ The strategies must also seek to reduce the time between commencement of proceedings and their conclusion with a final judgement

LAB-GROWN EMBRYOS MIX HUMAN AND MONKEY CELLS FOR THE FIRST TIME

Researchers at the **Salk Institute for Biological Studies in the US** have for the **first time grown human cells in monkey embryos**. The results of their work were published in the journal Cell on 15 April 2021. While the results might imply progress for this particular field of research called "**chimera research**", they have also ignited a debate about **how ethical studies of this kind are**.

By **integrating human cells into the embryos of macaque monkeys**, researchers have created what is called a **chimeric tool**. **Chimeras are organisms that are made up of the cells of two distinct species**, in this case **humans and monkeys**. For instance, if this **hybrid embryo was placed in the womb of a monkey**, it could possibly grow into a new kind of an animal (however this was not the aim of this study).

In this study, the **monkey embryos containing human stem cells stayed alive and grew outside the body for a period of 19 days**.

Previously, **in a 2017 study** researchers **integrated human cells into pig tissues** as they thought that pigs, **whose organ size, physiology and anatomy are similar to that of humans**, could help them in creating organs that could ultimately be transplanted to humans.

But this **experiment failed** and they believe it is **because of the large evolutionary distance between pigs and humans** (about 90 million years). Therefore, after this experiment, they decided to **pick a species that was more closely related to humans**, hence **macaque monkeys were chosen**.

Researchers believe that **this ability to grow cells of two different species together** offers scientists a **powerful tool for research and medicine, advancing current understanding about early human development, disease onset and progression and ageing**. Further, research of this kind could also help in **drug evaluation** and address the **critical need for organ transplantation**.

Researchers note **how chimeric tools provide a new platform to study how certain diseases arise**. For instance, a **particular gene that is associated with a certain type of cancer** could be **engineered in a human cell**. Researchers could then study the course of disease progression using the engineered cells in a **chimeric model**, which may be able to tell them more about the disease than results obtained from an **animal model**.

Some rare hybrid animals exist naturally and were probably the result of **unintentional cross breeding between animals of different species**. In 2014, a **rare hybrid animal called “Geep”** was born on an Irish farm. **Geep was a hybrid between a goat and a sheep, a result of the two mating**. However, the **birth of this geep was not artificially induced** and the cross-breeding is believed to have happened unintentionally. Generally, **different species don't cross-breed** and if they do, their offspring don't survive for long and are prone to infertility.

Mules are another example of a hybrid animal that is the **result of mating between a female horse and a male donkey**. As per the **Mule Museum**, these hybrid animals are the **result of intentional breeding by humans**, which they first undertook in the ancient times. While mules can live a long healthy life, they are infertile which means that **they cannot have offspring of their own**.

Even so, research that concerns itself with **gene editing** or something like **chimera research**, which **involves artificially integrating cells from two distinct species concerns** some scientists on ethical grounds. The reason is that while further research into **chimeras might lead to progress**, which could mean that they could be used as a **source of organs for humans**, these chimeras would still be a mix of human and non-human cells, a thought that makes many uncomfortable.

Writing in Pursuit, Professor Julian Savulescu and Dr Julian Koplin, of the University of Melbourne, note that **chimeric research raises “the philosophical and ethical issue of moral status: how should we treat other life forms?”**. They argue that chimera research has the **potential to worsen injustice against animals** and also point out the fairness in **using part-human animals to meet human needs**.

In the case of the **recent research at Salk**, researchers have made it clear that the **chimeras created** with macaques will not be used for **human organ transplants** but that they “nevertheless reveal invaluable information about how human cells develop and integrate, and **how cells of different species communicate with one another**.” Some scientists, however, are still skeptical since they feel that **one of the goals of chimera research** is to create organs that can be **transplanted to humans**.

In 2018, **Dr He Jiankui** made headlines when **he claimed to have produced genetically modified babies** using the **gene editing technique CRISPR**. Jiankui claimed that **he had altered the genes of a human embryo** that eventually resulted in the **birth of twin girls with specific desired attributes** — supposedly the **first instance of human offspring so produced**— using **newly-developed tools of gene “editing”**. The genes of the twins were “**edited**” to ensure **they do not get infected with HIV**, the virus that causes AIDS, according to the claims.

In December 2020 a court in **China sentenced him to prison for three years**, with a fine of 3 million yuan (approx. Rs 3 crore), for illegal medical practice.

Therefore, **genetic modification like chimera studies continues to be a subject of major debate**. In developing countries like **India, genetically modified crops are also a contentious topic**. Tampering with the genetic code in human beings is more controversial, as any such change can be passed down to future generations.

B.1.617 VARIANT AND THE COVID-19 SURGE IN INDIA

During a meeting with district laboratories in Maharashtra recently, the **National Institute of Virology (NIV)** shared limited data showing a **break-up of 361 genome-sequenced samples** collected between January and March this year.

The headline finding from the analysis: the **presence of a double mutation** was **detected in 220 — almost 61 per cent** — of the samples. This **double variant** was classified as the **“B.1.617” variant**.

B.1.617

The **B.1.617 variant of SARS-CoV-2** carries **two mutations, E484Q and L452R**. **Both are separately found in many other coronavirus variants, but they have been reported together for the first time in India.**

The **two mutations are found in the virus's spike protein**. The **spike protein** helps the virus to bind itself to the **human cell's receptors** and **gain entry into a host cell**.

The **E484Q mutation is similar to E484K, a mutation found in the United Kingdom (lineage B.1.1.7)** and South Africa (B.1.351) variants of the coronavirus.

The **L452R mutation has been found in fast spreading variants in California (B.1.427 and B.1.429)**. It can **increase the binding power of spike proteins with ACE2 receptors** on human cells, making it more transmissible. **L452R can also potentially enhance viral replication**. Together, **E484Q and L452R** are more infectious, and can evade antibodies.

B.1.617 been found

There is limited data. It was **first reported from Maharashtra**. On 19 January 2021, samples from various districts were sequenced, and **B.1.617 was found in four**. In February, 234 samples were sequenced from 18 districts, and 151 samples — from at least 16 districts — had this variant and in March as many as 65 of 94 samples had it.

So far, **Amravati, Nagpur, Akola, Wardha, Pune, Thane, Aurangabad, and Chandrapur districts** have presented strong evidence of the **presence of B.1.617**. Fewer samples were sequenced in other districts, and the variant was found in some. Sequencing is pending for more samples.

Is this variant more virulent?

There is no evidence so far. Most patients can do with home isolation, although clinical experience needs to be combined with **genome sequencing data** to generate scientific evidence. **Clinical anecdotes from doctors** suggest the variant spreads faster, is more infectious, **can infect entire families**, but is less virulent and doesn't cause **dramatically more hospitalisations**.

“Most patients are asymptomatic and that is a **good indication**. But in absolute numbers so many cases have put a burden on health infrastructure, said Dr Shashank Joshi, an expert on the Maharashtra Covid Task Force.

How much has it spread?

Dr Sujeet Singh, director of the **National Centre for Disease Control (NCDC)** has pointed out that **very few samples from Maharashtra** have been sequenced so far, and it is too early to draw definitive conclusions on **how widespread the double mutant is**. However, the central government had reported in March that **15-20 per cent samples in Maharashtra had this variant**; on the basis of the latest sequencing data we know that this number is now over 60 per cent.

Clinicians and district administrators in Maharashtra are reporting that unlike in the first wave, **entire families are getting infected in the second wave**. This could indicate either that physical distancing or isolation measures are inadequate in the household, or that the virus has become more transmissible.

Could B.1.617 be driving the ongoing surge in Covid-19 cases?

Dr Gangandee Kang, professor of microbiology at Christian Medical College, Vellore, said **60.9 per cent samples carrying this variant “most likely”** showed a **link between the mutation and the surge** — however, for an accurate answer at **least 1 percent of Covid-19 samples must be sequenced every week**. With India at present testing over lakhs cases daily, and this would translate to roughly more than 1,000 genome sequences every day.

Can the variant evade vaccines?

Again, the data are limited. Some people have indeed been infected after the first dose, but **there is no data on whether their samples were sent for genome sequencing**.

We know that the South **African variant** is more capable of **escaping immune response**. We know that **UK variant is the most transmissible**. But we know nothing about **B.1.617** so far, because we are not putting together data to draw conclusions, Dr Kang said.

Dr Menon underlined that while **vaccines are not expected to prevent infection**, they **certainly prevent severe disease and death**. We expect that this will remain true even with the new variant. The **only medium- to long-term solution** to deal with **Covid-19** is for people to get vaccinated.

COVID-19 CRISIS AND THE CENTRE–STATE RELATIONS

The history of federal relationship between the states and the centre in India can be exemplified by the terms like cooperative federalism, bargaining federalism or quasi-federalism.

However, in most of times, Indian federalism has been conflicting rather than cooperative, which can be reflected in, central government being discriminatory in its attitude towards the states with oppositional political background.

Recently, the tussle between Union & states over vaccine distribution, oxygen supply, availability of life-saving medicines, have not only bode well with the idea of cooperative federalism but also led to loss of many lives of the citizens.

Therefore, as Covid-19 demands unprecedented efforts to fight this pandemic, it is the duty of the government at every level to act in a concerted manner to save the country from this crisis.

Federal Issues Accentuated During the Pandemic

Case of Inconvenient Federalism: On account of the Central government being the sole agency to regulate the production and distribution of the vaccine and oxygen, it was the exclusive responsibility of the centre to ensure adequate and judicious distribution.

- However, many states are complaining of discrimination on distribution of the vaccination, supply of medicines, availability of oxygen, etc.
- Moreover, the new vaccination policy, in the garb of relaxing controls, seeks to pass the burden on to the states as it makes the states responsible to procure vaccines directly from the producers and allows for differential price-setting.
- This would not only add to the financial burdens of the states that are already squeezed but also could give rise to conflicts between different states.

Centralising Powers: The centre had invoked the Epidemic Diseases Act and the Disaster Management Act, centralising the powers to deal with the pandemic.

- However, state consultation is a legislative mandate cast upon the centre under these acts and binding COVID-19 guidelines are being issued by the Centre to the States.

Covid-19 Entering Rural India: First wave of Covid-19 witnessed the mass exodus of the migrant workers into their home states like Uttar Pradesh, Bihar.

- Now, as these workers again had to reverse migrate to their home states, this has brought life of fears that Covid-19 entering into rural India.
- Moreover, the sustenance of agricultural, industrial and construction activities would be difficult in the absence of a majority of the workforce in the backdrop of the lifting of restrictions, given these workers are going back to their hometowns.
- If both centre and state governments had taken lessons from the first wave, the devastating effects of this crisis could have been minimized.

Road Ahead

Relaxing FRBM Norms: The relaxation of limits imposed by the FRBM Act, regarding the market borrowings by the states, is a step in the right direction.

- However, these borrowings can be backed by sovereign guarantee by the Union Government.
- Moreover, the Union government can provide money to states so that they can take necessary action to deal with the crisis at the state level.

Real Cooperative Federalism: A successful approach to tackle the crisis would still need Centre's intervention and guidance in a facilitative manner, where the Centre would communicate extensively the best practices across states, address the financial needs effectively, and leverage national expertise for scalable solutions.

Long Term Measures: Management of disasters and emergencies (both natural and manmade) should be included in the List III (Concurrent List) of the Seventh Schedule.

- Also, the government should consider making the Inter-State Council a permanent body.

The present situation suggests that one needs to go beyond the framework of cooperative federalism, which is basically based on the act of invoking and promoting participation of centre and the states in achieving the development of the nation as well as regions.

POST DEVOLUTION REVENUE DEFICIT

The Ministry of Finance has released the second monthly instalment of Post Devolution Revenue Deficit (PDRD) Grant of Rs. 9,871 crore for the year 2021-22 to 17 States.

Post Devolution Revenue Deficit (PDRD):

- The Centre provides the Post Devolution Revenue Deficit Grant to the States under Article 275 of the Constitution.
- The grants are released as per the recommendations of the Finance Commission in monthly installments to meet the gap in Revenue Accounts of the States post-devolution (of the divisible tax pool of the Centre).
- The 15th Finance Commission has recommended post devolution revenue deficit grants amounting to about Rs. 3 trillion over the five-year period ending FY26.
- The number of states qualifying for the revenue deficit grants decreases from 17 in FY22, the first year of the award period to 6 in FY26, the last year.
- The eligibility of States to receive this grant and the quantum of grant was decided by the Commission based on the gap between assessment of revenue and expenditure of the State.

States Recommended for PDRD Grants:

Over the five-year period, Andhra Pradesh, Assam, Haryana, Himachal Pradesh, Karnataka, Kerala, Manipur, Meghalaya, Mizoram, Nagaland, Punjab, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttarakhand and West Bengal are recommended to be provided with the deficit grants. The Ministry of Finance has accepted the recommendation.

Article 275 of the Constitution:

- It provides for the payment of such sums as Parliament may by law provide as grants-in aid to such States as Parliament may determine to be in need of assistance.
- The grants are paid out of the Consolidated Fund of India in each year, and different sums may be fixed for different States.
- These grants are to be of the nature of capital and recurring sums as may be necessary.
- These aim to enable that State to meet the costs of such schemes of development as may be undertaken by it with the approval of the Government of India for the purpose of promoting the welfare of the Scheduled Tribes in that State or raising the level of administration of the

Scheduled Areas there in to that of the administration of the rest of the areas of that State.

- Grants are primarily intended to correct Inter-State disparities in financial resources and to coordinate the maintenance and expansion of the welfare schemes of the State Governments on a uniform national level.
- **Revenue Account and Capital Account**
- A **revenue account** includes all the revenue receipts also known as current receipts of the government. These receipts include tax revenues and other revenues of the government.
- A **capital account** is an account that includes the capital receipts and the payments. It basically includes assets as well as liabilities of the government. Capital receipts comprise the loans or capital that are raised by governments by different means.
- **Centre State Financial Relations**
- **Constitutional Provisions:**
- Indian Constitution has made elaborate provisions, relating to the distribution of the taxes as well as non-tax revenues and the power of borrowing, supplemented by provisions for grants-in-aid by the Union to the States.
- Article 268 to 293 in Part XII deals with the provisions of financial relations between Centre and States.
- **Taxing Powers:** The Constitution divides the taxing powers between the Centre and the states as follows:
- The Parliament has exclusive power to levy taxes on subjects enumerated in the Union List, the state legislature has exclusive power to levy taxes on subjects enumerated in the State List.
- Both can levy taxes on the subjects enumerated in Concurrent List whereas residuary power of taxation lies with Parliament only.
- **Distribution of the Tax Revenue:**
- Duties Levied by the Union but Collected and Appropriated by the States (Article 268):
- Includes stamp duties on bills of exchange, cheques, etc.
- Taxes Levied as well as Collected by the Union, but Assigned to the States (Article 269):
- These include taxes on the sale and purchase of goods (other than newspapers) in the course of inter-state trade or commerce or the taxes on the consignment of goods in the course of inter-state trade or commerce.

Levy and Collection of Goods and Services Tax in Course of Inter-State Trade or Commerce (Article 269-A):

- The Goods and Services Tax (GST) on supplies in the course of inter-state trade or commerce are levied and collected by the Centre.
- But, this tax is divided between the Centre and the States in the manner provided by Parliament on the recommendations of the GST Council.

Taxes Levied and Collected by the Union but Distributed between the Union and the States (Article 270):

- This category includes all taxes and duties referred to in the Union List except the following:
- Duties and taxes referred to in Articles 268, 269 and 269-A.
- Surcharge on taxes and duties referred to in Article 271 (this goes to the Centre exclusively).
- Any cess levied for specific purposes.

Grants-in-Aid: Besides sharing of taxes between the Centre and the States, the Constitution provides for Grants-in-aid to the States from the Central resources. There are two types of grants:

Statutory Grants (Article 275): These grants are given by the Parliament out of the Consolidated Fund of India to such States which are in need of assistance. Different States may be granted different sums.

- Specific grants are also given to promote the welfare of scheduled tribes in a state or to raise the level of administration of the Scheduled areas therein.

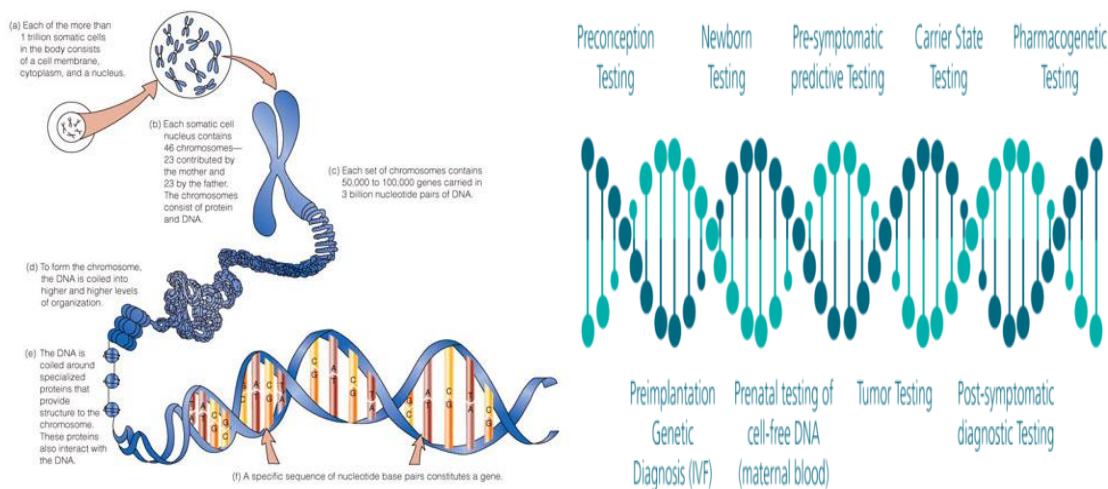
Discretionary Grants (Article 282): It empowers both the Centre and the states to make any grants for any public purpose, even if it is not within their respective legislative competence.

- Under this provision, the Centre makes grants to the states. These grants are known as discretionary grants, the reason being that the Centre is under no obligation to give these grants and the matter lies within its discretion.
- These grants have a two-fold purpose: to help the state financially to fulfil plan targets; and to give some leverage to the Centre to influence and coordinate state action to effectuate the national plan.

GENETIC TESTING: EVERYTHING YOU NEED TO KNOW

As per the **Organization of Rare diseases in India (ORDI)**, **1 in 20 Indians** is affected by a **rare disorder**. More than 7,000 rare diseases are known and reported worldwide; from these approximately **80 per cent are known to have a genetic predisposition**. Some of these “common” rare diseases we’ve heard of are **inherited cancers** (eg. breast, ovarian, and colorectal etc.), **hemoglobinopathies** (hemophilia, thalassemia, and sickle cell anemia etc.), **auto-immune deficiencies**, and **lysosomal storage disorders** among others, says Dr Aparna Dhar, head of department: medical genetics and genetic counselling, CORE Diagnostics.

In the year 2020, the world has **undergone massive changes**. It has made us **introspect and re-evaluate our lives**. We’ve started looking after our wellbeing by addressing issues associated with **mental health and physical health**. We’ve consciously tried to bring about lifestyle changes that have been coupled with teaming up with **healthcare/diagnostic providers** to give us a more personalised approach. One key way of doing this is by understanding if they have a genetic predisposition to a hereditary disorder, she adds.



A global study conducted by the Mayo Clinic, USA stated that **1 in 10 people who underwent predictive genetic testing**, learned that they had a **hereditary risk** for a health condition and could actually benefit from preventive care. While no genetic test can accurately predict the exact date and time a disease may present, it will definitely be able to tell if an individual is at a **higher risk vs the general population risk**.

However, Dr Dhar says that there is definitely a lack of awareness around these

proteins, depending on the suspected disorder. The laboratory reports the test results in writing to a **person's doctor or genetic counselor**, or directly to the patient if requested.

How should one prepare for genetic testing?

Genetic testing can provide important, **life-saving information**. Interpreting the results is critical. It can be difficult for a medical doctor to understand the result if they don't have specialized training in genetics. That's why genetic counselors exist. They are trained in both **medical genetics and counseling** and work closely with your doctor to provide both **clinical and emotional advice**. They are available to guide, to make sure if you are a good fit for the test and help interpret results. Whereas for some, they might have second thoughts and might not recommend genetic testing as it is not for everyone. While there is a perceived stigma of resulting in some disease or bad gene still lying, a counselor will help you understand what the results mean for you and your family.

What useful information can genetic testing provide?

Genetic testing can provide clarity on the results, **guide therapy selection and monitoring**, and **allow disease risk profiling**

Family health history tells you which diseases run in your family

Identify risks due to shared genes

Understand better what **lifestyle and environmental factors** you share with your family

Understand **how healthy lifestyle choices can reduce your risk of developing a disease**

The results of genetic tests are not always straightforward, which often makes them challenging to interpret and explain. Therefore, it is important for patients and their families to ask questions about the potential meaning of genetic test results both before and after the test are performed. When interpreting test results, healthcare professionals consider a **person's medical history**, family history, and the type of genetic test that was done.

A positive test result means that the laboratory found a change in a particular gene, **chromosome**, or **protein of interest**. Depending on the purpose of the test, this result may confirm a diagnosis, indicating that a person is a carrier of a particular genetic mutation, identify an increased risk of developing a disease (such as cancer) in the future or suggest a need for further testing. **Because family members have some genetic material in common**, a positive test result may also have

implications for certain blood relatives of the person undergoing testing. It is important to note that a positive result of a **predictive or pre-symptomatic genetic test** usually cannot establish the exact risk of developing a disorder. Also, health professionals typically cannot use a positive test result to predict the course or severity of a condition.

A negative test result means that the **laboratory did not find a change in the gene, chromosome, or protein under consideration**. This result can indicate that a person is not affected by a particular disorder, is not a carrier of a specific genetic mutation, or does not have an increased risk of developing a certain disease. It is possible, however, that the test missed a **disease-causing genetic alteration** because many tests cannot detect all genetic changes that can cause a particular disorder. Further testing may be required to confirm a negative result.

In some cases, a **test result might not give any useful information**. This type of result is called **uninformative, indeterminate, inconclusive**, or ambiguous. Uninformative test results sometimes occur because everyone has common, natural variations in their DNA, called **polymorphisms** that do not affect health. If a genetic test finds a change in DNA that has not been associated with a disorder in other people, it can be difficult to tell whether it is a **natural polymorphism or a disease-causing mutation**. An uninformative result cannot confirm or rule out a specific diagnosis, and it cannot indicate whether a person has an increased risk of developing a disorder. In some cases, testing other affected and unaffected family members can help clarify this type of result.

Path to well-being

Genetic testing is not limited to only helping from a **preventive and proactive perspective**, but for those affected with disease; there is a shift to personalised medicine paradigm of disease modeling and targeted gene therapy which has yielded excellent results. In addition, the data from the **Human Genome Project** has helped us understand the stratification of genes as per their penetrance levels and in turn, help us give a **personalised risk assessment to our patients**.

THE EU'S INDO-PACIFIC STRATEGY

Recently, the Council of the European Union (EU) approved the long-awaited “EU Strategy for Cooperation in the Indo-Pacific Council Conclusions”.

Need for European Union's Indo-Pacific Strategy

EU is not a traditional security actor in the Indo-Pacific: The region is home to five of EU's top 10 trading partners, and the sea lanes of this region ship a large volume of the EU's international trade.

Existence of EU companies in Indo-Pacific region: The European nationals have a sizeable presence and EU companies have made impressive footholds in this region.

Anti-China stance in global trade: The embryo of the Indo-Pacific strategy of many regional and global actors might have developed out of an implicit anti-China stance, but the EU prefers a balancing act.

The EU considers China a partner, competitor and rival.

In recent years, China's aggressive foreign policy and military adventures in its neighbourhood and human rights violations in Xinjiang have created a negative perception against China in the EU.

EU following objectives of Quad Group: The strategy has followed the Quad line while calling for free, open, and secure maritime routes, a rules-based international order, upholding democratic values, and ASEAN's centrality in the regional architecture.

India can become an important pillar of the EU's Indo-Pacific strategy: India has offered continuity and sophistication over the years to European Union.

In the post-Brexit scenario, the forthcoming India-EU Summit will provide a platform for the consolidation of strategic partnership and provide an opportunity to enhance policy convergence on Indo-Pacific.

Indo-Pacific region represents the world's economic and strategic centre of gravity: It is home to 60% of the world's population producing 60% of global GDP, contributing two thirds of current global growth.

Features of European Union's Indo-Pacific Strategy

EU reinventing its image as a maritime security actor: The EU is set to commit to a “meaningful” naval presence and cooperation with partner navies to comprehensively monitor maritime security and freedom of navigation in the

Indo-Pacific.

Working with partners: The promotion of cooperation stands at the core of the EU's approach to the Indo-Pacific.

It applies not only to Europe's long-standing friends and allies that share its values, but also to cooperation with "third countries for mutual benefit.

It is aimed at cooperation within regional multilateral organizations, such as ASEAN-centered mechanisms or those within the Asia-Europe Meeting (ASEM) process.

No pointing fingers: In the tradition of most EU strategies, the document avoids naming and shaming.

Instead of explicitly mentioning the usual suspects and culprits, it points out challenges for regional stability in the form of geopolitical competition.

Strong on soft issues: The need to address global issues such as climate change, biodiversity loss, and the socioeconomic impact of the COVID-19 pandemic is among the top priorities for Europe and part of its highest added value for the region.

High quality and sustainable connectivity: The 2018 "Strategy for Connecting Europe and Asia" outlined the EU's principles for a sustainable, transparent, and rules-based connectivity.

Significance of European Union's Indo-Pacific strategy

Regional Stability: It reflects the reconfiguration of the EU's Asia-Pacific approach to the Indo-Pacific, given the changing geopolitical situation.

Acknowledged intense geopolitical competition: The EU's strategy document has avoided naming and shaming anybody while acknowledging intense geopolitical competition adding to increasing tensions on trade and supply chains as well as technological, political and security areas.

Balancing and inclusive approach towards China: The EU has called for a Comprehensive Agreement on Investment (CAI) with China, indicating that engaging Beijing is not necessarily an antithesis to its Indo-Pacific strategy.

Regional security and prosperity: The EU's strategy calls for developing partnerships in security and defence.

Its broad security agenda includes threats from malicious cyber activities, disinformation, emerging technologies, terrorism, organised crime, disaster prevention and recovery, piracy, trafficking, and economic and human effects of the pandemic.

EU can be a valuable partner in the Indo-Pacific region: The EU-Asia Connectivity strategy, considered the EU's answer to China's Belt and Road Initiative (BRI), can moderate China's dominance while providing a sustainable alternative.

The EU has concluded trade agreements with Japan, South Korea, Singapore, Vietnam and some Pacific countries.

Road ahead

The EU's strategy needs to be seen in the larger context of EU's global power aspirations and the region's changing dynamics due to China's revisionist challenge to the rules-based international order.

The EU can increase its visibility as a security actor in the region by responding to the geo-strategic "burden sharing" with other like-minded regional and global actors.

The greater involvement of the EU and convergence of actions with other actors will strengthen and give further legitimacy to the call for a rules-based international order in the region.

The strategy allows the EU to enhance cooperation further in many areas such as ocean governance, health, research and technology, security and defence, connectivity and strengthen working together on tackling global challenges.

The strategy is deliberately pragmatic, flexible and multi-faceted, allowing the EU to adapt and build its cooperation according to specific policy areas where partners can find common ground.



UTTARAKHAND'S CHAR DHAM BOARD AND WHY IT IS FACING OPPOSITION?

The **Uttarakhand government** in December 2019 had tabled the **Uttarakhand Char Dham Shrine Management Bill, 2019**, in the state Assembly amid protests – within and outside the Vidhan Sabha.

The bill was aimed at bringing the **Char Dham of Badrinath, Kedarnath, Gangotri and Yamunotri** and **49 other temples under the purview of a proposed shrine board**. The bill was passed in the Assembly and became the **Uttarakhand Char Dham Devasthanam Management Act, 2019**. Under the same Act, the BJP government led by then CM Trivendra Singh Rawat constituted the **Uttarakhand Char Dham Devasthanam Board on January 15, 2020**. The Chief Minister is the chairman whereas the minister for religious affairs is the vice-chairman of the board. Two MLAs of Gangotri and Yamunotri are members on the board along with the Chief Secretary. A senior IAS officer is the Chief Executive Officer.

Under this board, **at present there are 53 temples**, including **four shrines – Badrinath, Kedarnath, Gangotri and Yamunotri** – and other temples located around these shrines. The shrine board is the **highest governing body** for the management of the temples with powers to frame policies, make decisions to give effect to the provisions of this Act, of budget formulation and to sanction expenditure, among others. The **board may also give directions for the safe custody, prevention and management of funds, valuable securities, jewellery and properties vested in the temples**.

So far, the board has met only three times under former CM Trivendra Singh Rawat and discussions were held regarding development around **char dharma shrines and char dham yatra**.

What was the previous arrangement?

Earlier, the **Shri Badrinath-Shri Kedarnath Act, 1939** was in place for the management of two shrines – **Badrinath and Kedarnath** – and **45 temples by Shri Badrinath– Shri Kedarnath Mandir Samiti**. The Samiti was chaired by a government appointed person whereas an official of all India service used to be the CEO. All the decisions related to utilization of the donations, funds and development works in and around those **45 temples including Badrinath and Kedarnath** were taken by that committee and the government did not intervene in it. But through the **Devasthanam board**, the government has taken control over the financial and policy decisions, said Ganesh Godiyal, who was chairman of the committee from 2013 to 2018.

Most of these provisions of this Act (**Shri Badrinath-Shri Kedarnath Act, 1939**) are no longer relevant in the present context. In view of this, the **Uttarakhand Char Dham Shrine Management Bill** is proposed. This Bill thus will provide a milestone for the rejuvenation of Shri Badrinath, Shri Kedarnath, Gangotri, Yamunotri and other famous temples..., reads the statement of objects and reasons in the Uttarakhand Char Dham Shrine Management Bill.

In **Gangotri and Yamunotri**, management of the shrines was earlier in the control of local trusts and the government was not getting any share from the donations made by devotees.

When the government looks after the **security and other arrangements for convenience of pilgrims**, the government should have control over **utilization of funds** and planned development of the area. Devasthanam board gives such power to the government. The government has disturbed the **rights of different stakeholders**, said a board member.

Who are protesting and why?

The **Opposition Congress had extended support** to those priests and pandas who were protesting the **formation of the Devasthanam board**. The Congress had called the BJP government 'dharma virodhi'. People holding different responsibilities in the Char Dham temples came under the banner of the **Char Dham Mahapanchayat Hakukdhari** to raise voice against the Bill. Pandas, Dimris and others who run dharmshalas and shops at the **Badrinath and Kedarnath shrines** staged protests in Dehradun. They alleged that with the shrine board, the government will get control of the entire area and donations. In the meeting of **Vishwa Hindu Parishad (VHP) kendriya margdarshak mandal**, the saints raised the issue and repeatedly demanded CM Tirath Singh Rawat, who was present at the meeting, to immediately announce abolition of board. Rawat announced to 'review' the board. He also said that **51 temples will be kept out of ambit of the board**. However, a release from the CM office later read that the CM has assured a review on these 51 temples

Saints and VHP leaders in the meeting said that **Hindu temples should be governed by the Hindu society** and the **governments should not have any control over management of temples**, its properties and religious systems.

The **Uttarakhand High Court in July last year** had dismissed a PIL filed by BJP leader and Rajya Sabha member Subramanian Swamy, challenging the constitutional validity of the Uttarakhand Char Dham Devasthanam Management Act, 2019. The petition had sought a direction to strike down the Act.

We are satisfied, therefore, that all the Char Dham and associated temples are public temples whose secular functions can be regulated by a law made by the

competent legislature, the court said in the order.

What does the government say?

Religious affairs minister Satpal Maharaj said, The **public is in support of the devasthanam board** because they want good services there and the government only provides these services to them. Till the date I have not received a single written objection against the Devasthanam board. During the formation of the Act, some people had spoken about their rights and traditions and the government introduced the clause protecting their rights. We are protecting the **rights of teerth-purohiths**. Maharaj said that rights and stakes of rawals and pandas have been safeguarded in the Act.

On the CM's announcement about the review of the board, Maharaj said that he will meet the CM and apprise him of all the facts about the board. Maharaj said that he will also call a meeting of various stakeholders associated with the Char Dham.

CAN NATURAL GAS PLAY A ROLE IN INDIA'S PATH TO CLEAN ENERGY?

The ongoing debate around climate change and its impact and **India's focus on smooth transition to clean energy** has argued that **India must first "green" its fossil fuel energy basket.**

The argument is that rather than focus only on the endgame of decarbonisation, India should focus on the **role of natural gas in India's road to clean energy.**

Why India needs to focus on natural gas for transition to clean energy?

Growing focus on decarbonization: Policy wonks, climate negotiators, academicians, corporates and NGOs are currently fixated on the concept of "net zero carbon emissions" and the appropriate target year for achieving it.

Increase in demand for fossil fuels: With the population growing by about 1% each year, the demand for fuels like oil, natural gas and coal is also ever-increasing in India.

- The entire economies survive on these non-renewable sources of energy.

Low share of natural gas consumption in India: Natural gas contributes to about a quarter of global energy consumption but in India, it constitutes only 6% of the energy consumed, while crude oil and coal dominate.

- The Indian government has promised to raise the share of natural gas to 15% by 2030.

India is a fast growing economy: It needs more energy consumption that will lead to the increase in emissions causing climate change & concern for public health.

Role of Natural Gas in India's road to clean energy

Promising source of energy: It is a cleaner fuel with low emission of particulate matter, ash and greenhouse gases for the same energy output.

- It is considered as transition fuel due to its availability, affordability, environment friendliness and ability to support renewable in pick demand time.

Energy Security: It is defined by using four A's as, in order to meet energy demand;

- The energy should be Available in required quantity;
- The energy should be Accessible in most economical way;
- The energy should be Affordable to consumers; and
- The energy should be Acceptable by the consumers for Sustainable future
- The sustainability should be kept at the centre of a framework and performance of natural gas on key parameters like availability, accessibility, affordability, and acceptability should be evaluated.

Industrial Fuel: The LNG is used as replacement fuel for liquid fuels in industries and from current market scenario and authors observed that LNG is competitive against all liquid fuels used in India.

- These industries are contributing to reduce the emissions and address the climate change issue with business sustainability.

Addressing public health and wealth issues: The low-carbon or carbon-free energy can help to address a major public health problem in India because the country's rural population still relies on firewood, dung and charcoal for cooking.

- Propane (liquefied petroleum gas) is the primary solution to the problem in the short term, and the expansion of the gas pipeline network is key to a longer-term solution.

Transportation: The use of Compressed Natural Gas (CNG) is economical and the cleanest alternate fuel for transportation.

Challenges ahead of India's transition to clean energy

Lack of global consensus on emission targets: The effort to secure a global consensus around "Net Zero" target has led the discussants losing their sight of the immediate.

- They are not spending enough time and effort to lay out the stepping stones because it is necessary to take one step at a time but best take a short first step in the right direction than strive for a longer but unsteady stride.

Increase in dependence on import of natural gas: The researchers have suggested that the government will need to rely heavily on imported liquefied natural gas (LNG) brought in through cargo ships in order to counter fuel shortages.

- India's clean energy transition will take decades: In India, the transition to a new energy system could take even longer because the existing grid infrastructure is not robust enough to absorb and manage the intermittency of electricity flows from renewables.

Coal remains the most competitive source of energy: The coal sector is a major source of revenue for states and the central government.

- While renewable energy capacity is dramatically increasing, coal still provides around 70 percent of the country's electricity.

Presence of multiple mechanisms for regulation: The institutional mechanisms for driving the transition are not in place because there are many governmental bodies engaged with energy, but they all operate within disaggregated and impermeable silos.

Concerns associated with use of Natural Gas in India

Multiple pricing formulae for natural gas: The pricing of natural gas is a potpourri of complexity because there are multiple price formulae.

- One for gas produced from domestic fields by the public sector companies;
- One for gas produced by private companies;
- One for production from deep waters offshore under high temperature etc.

Regressive taxation structure on natural gas: It is a cascading structure so that the tax rates increase as the gas flows from one zone to another.

- It implies that customers located at a distance from the source of gas pay a higher price than those closer to the source which results in dampening of demand.

Monopoly in natural gas production: The Gas Authority of India Ltd (GAIL) is currently engaged in the production, transportation and marketing of gas.

- It allows GAIL to leverage its ownership of the bulk of the gas pipelines to deny its competitors access to the market.

Lack of coordination between centre and state governments: One reason why India has not yet constructed a national pipeline grid is because the Centre and state have clashed over issues like land acquisition, pipeline routing and royalty payments.

- The centre-state differences have also delayed the construction of import facilities and the creation of gas markets.

Environmental impact of natural gas production: The impact in terms of individual environmental problems such as ozone depletion, particulate matter, acidification and global warming.

Unavailability of infrastructural facilities for transportation and storage: The land acquisition for laying gas pipelines is a difficult challenge in the country.

- The subsidised rates of liquefied petroleum gas and cheap coal also offer tough competition to the adoption of natural gas in the Indian gas market.

Measures to be implemented for successful transition of India to clean energy

Increasing the share of natural gas: is a feasible prospect because this increase will not generate the headwinds that the alternative of shutting down coal mines might.

- It will allow the government to meet its objective of providing secure and affordable energy to everyone without degrading the environment.

Authorities must prioritise natural gas: They must recognise its versatility because it is a competitive fuel.

- It is abundantly available in and within the Asian/ME subcontinent and it has multiple uses and it is the “greenest” of all fossil fuels.

Authorities must correct the current disincentivising policy distortions: The government should introduce policies to increase domestic production of natural gas.

- The taxing structure in the natural gas industry should be revitalized in order to stop the dampening of demand of natural demand in areas far from source.

Authorities should revamp the structure of natural gas industry: It is necessary to de-monopolize the domestic production of natural gas so that other competitors of GAIL to access the market.

- The conflict-of-interest situation can be tackled by separating the upstream (production/import) and downstream (marketing) interests from transportation.

Better coordination between the central and state governments: It is necessary to have the institutional mechanism should be created to enable better coordination between the central and state governments.

Road ahead

- India stands a better chance of reaching the destination of a predominantly clean system if it moves forward incrementally i.e. if it makes natural gas the “next stop” in its energy journey.
- Natural gas has played a role to date in addressing local air quality problems and reducing carbon dioxide emissions in many jurisdictions around the globe.
- In the longer term, the natural gas sector will need a credible decarbonization strategy that addresses the inherent opportunities, challenges and limitations of the current technological pathways on offer.
- Without greater industry leadership and collaboration with governments, green gas may never become a commercial reality, and ultimately there may be little room left for natural gas in low carbon energy systems around the world.
- The researchers suggest that India needs to take certain policy decisions to induct natural gas in the fuel market in India which should include:
 - ✓ Changes in the process of urea production to restrict the use of natural gas in the process;
 - ✓ Subsidising gas-based power plants to encourage the use of natural gas in the power sector; and
 - ✓ Levying a carbon price to support all the subsidies.

GOA'S NEWLY INTRODUCED ADVANCED ANTIQUITIES MGMT SYSTEM

The Directorate of Archives and Archaeology (DAA) of the Goa government inaugurated the **Advanced Antiquities Management System** on 6 April 2021 that it claimed was the **first such system in the country for storage of antiquities**. The system that **catalogues 83 antiquities at present** is aimed at **providing quick information** about an antiquity linked to the software, saving storage space and ensuring improved preservation of the objects of historical significance.

What is the Advanced Antiquities Management System?

The **AAMS is a software-driven automated storage** used for the **storage of various objects**. So far it has been **used for storage of industrial equipment** but the decision of **Goa's DAA to use it for storing valuable antiquities is the first such in the country**, it said. The AAMS will ensure safety of antiquities, clean **storage space, access control and data management** and **also enhance utilisation of space**. With antiquities preserved within the system, it will provide access to these in one place with the help of a screen on which the preserved antiquities can be searched and accessed within the system for viewing. **It will also provide information about the age of the antiquity, the material it is made of and its brief history.**

How does the system work?

The **AAMS placed at Goa's DAA in Panaji**, looks like a large, closed container, about **3 metres tall**. It has eight trays with a capacity of 350 kg each. When an antiquity is searched on the screen, the trays concealed inside the system move like a **Ferris wheel** and the tray bearing the antiquity searched opens for the user to view the object. The **screen provides information about the object**. Shailendra Phatak of Pune-based I-Tech Business Solutions that bagged the contract for the AAMS, said that the design was completely indigenous. The system, however, is **so far available offline as required by the DAA**. It cannot be remotely accessed.

What are the various antiquities stored in the system?

At present, there are 83 antiquities in the system the oldest one being a **tenth century Shivlinga**, said Dr Varad Sabnis, Assistant Superintending Archeologist at the DAA. It also includes **12 sculptures found under a waterfall in the Ladfem village in North Goa's Bicholim**, remains of a 13th century temple in South Goa's Navelim. There are also 18th century artifacts found at the Allorna Fort including glasses made in Germany and Holland, said Sabnis.

Who will be able to use the AAMS?

The **system will mostly benefit researchers and students** permitted access by the Directorate of Archives and Archaeology (DAA) in Goa and officials of the department. Students researching various archaeological subjects often seek access to **antiquities in the care of the Directorate**. Unlike a **manual log of these antiquities**, a click on the screen attached to the system will give the user information about the antiquity immediately and it can also be updated based on latest information about the antiquity. This is also expected to benefit the DAA as it will save storage space, provide **protection from dust and temperature control**. Inaugurating the system that cost Rs 27 lakh, Goa deputy chief minister Chandrakant Kavlekar said there was a need for advanced technology for the maintenance of heritage objects. He also said that the Goa government plans to introduce similar storage for six crore archival documents in the state.

What has the system been used for before?

Arti Phatak of I-Tech Business Solutions said that they have earlier created the system for a number of clients including those in the defense sector for preservation of various items and mainly documents. She said they had designed 38 systems for the Pune University for storage of answer sheets, storage of service records for the Police Headquarters in Hyderabad and preservation of land records for government offices.

SHARE OF WOMEN, YOUTH IN NEW STATE ASSEMBLIES

In the recently concluded assembly elections, **only Kerala recorded a marginal increase in seats for women** from 8 to 11.

The women's representation in **West Bengal remained unchanged** with 40 seats (41 in 2016) and **Tamil Nadu recorded a decline** from 21 seats to 12.

Reasons for Low representation of women in Parliament and Assemblies

Political parties are reluctant towards women candidates: India's dismal women's representation record a consequence of political parties being reluctant to give tickets to women candidates.

- The hesitancy of political parties who miss no opportunity to harangue on women's empowerment during campaigns is baffling because data contradicts the popular perception of women being "weak" candidates with low winning strike-rates.

Opposition to Women's Reservation Bill 2008: The law makers argue that if women's reservation is implemented, women MPs and MLAs will become rubber stamps or de-jure leaders even as the men in their families, the de-facto leaders, will dictate terms.

Lack of political awareness, exposure and expertise: It is argued that the women candidates are devoid of political awareness and lack of exposure and expertise in matters relating to administration and policy-making.

Lack of knowledge: The experts believe that the women candidates are lacking knowledge about local governance acts, rules and regulations.

Unfavourable working conditions: The low number of women representation at national and state level is mainly due to unfavourable working conditions for women.

Patriarchal nature of Indian society: The indifferent attitude of officials coupled with the patriarchy of the predominantly male administrative machinery does create hurdles for women representatives.

- The cross-cutting barriers that women councillors face due to intersectionality of gender, seniority in the political party and position in the house.

Reasons for Low representation of youth in Parliament and Assemblies

Inexperience of youth in political field: The perceived inexperience is one of the barriers in the election of young candidates, with older politicians suggesting that they wait for their turn to run for political office.

Lack of recognition among political parties: The Young politicians may also lack the name recognition and the access to crucial networks needed to gain attention, be nominated by political parties and become viable candidates.

Lack of financial resources among youth: There are many young people, because they are just beginning their professional careers or because unemployment among youth is high, simply lack the financial resources required to run a traditional political campaign.

Increased political apathy among youth: The lack of civic education in school and maturation at a later age, young voters are less and less interested in conventional politics and participate less and less in the political process.

Why Parliament and Assemblies need more representation of women and youth?

Increase in share of women's voter turnout: In the 1962 Lok Sabha polls women constituted a measly 46.7% but by 2019, the share had shot up exponentially by nearly 20% to 67.18%.

Low representation of women in law-making bodies: The women's representation in law making bodies, both at the state level and in the Lok Sabha, can only be described as a "national shame".

Improvement in women's representation across the globe: The Inter-Parliamentary Union proves that India is not only faring poorly in terms of women's representation, but more importantly, its position has worsened in the last few years.

Better decision making by women at panchayat and municipal level: The women representatives in local government bodies have come into their own delivering better local governance and even outperforming male representatives.

Recruitment of young aspiring parliamentarians: The emerging academic research suggests that a latent core of young people could be encouraged to run for political office.

Youth make up a substantial share of the population: A parliament that is significantly unrepresentative will be less able to reflect public opinion on the important issues of the day and may have its legitimacy called into question.

Enhancing youth participation can contribute to better policymaking: The Young people are disproportionately affected by policies on education, employment, housing, gun control, and new technologies, among others.

- The young people will be more affected by decisions taken on longer-term issues like climate change, environmental sustainability or war.

Measures to be adopted to increase the participation of women and youth in Parliament

Reservation of seats in Lok Sabha and state assemblies: The success achieved by reserving one-third of the seats in local government bodies like panchayats and municipalities is often cited as a model which can be emulated at the national level and state level.

Capacity building programmes for women candidates: The NGOs and other organisations should come up at the forefront to organize capacity building programmes for women councillors.

- The workshops are designed to fit the needs and expectations of newly elected women councillors.

Determination of target figure: The governments should pursue institutional reforms to correct the democracy deficit, such as lowering the eligibility age, designing new recruitment strategies, establishing youth quotas and empowering party youth wings.

Youth quotas at national and state levels: The governments should consider introducing youth quotas to enhance the selection and promotion of young candidates and adopting lower age thresholds to help more politicians in their 20s and 30s get elected.

Better competitive environment for newcomers: The limits should be placed on campaign spending to level the playing field for young newcomers facing older, better funded incumbents.

Adoption of IPU Plan of Action for Gender Sensitivity: The Parliament should explore the feasibility of adopting recommendations set out in the IPU Plan of Action for Gender Sensitive Parliaments, including changes to working hours and the provision of day care and parental leave.

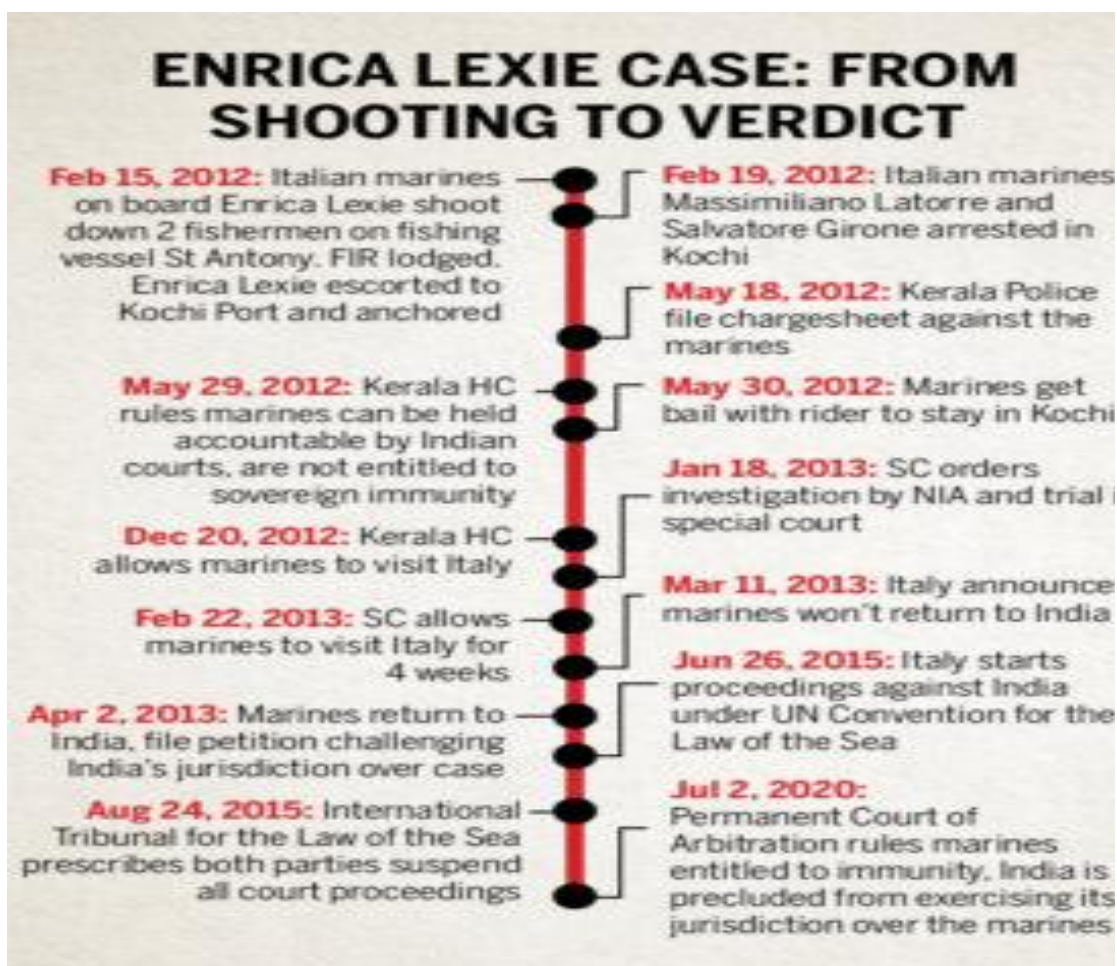
Road ahead

- ✓ It is high time the political class reads the writing on the wall and walks the talk regarding ensuring better women's participation in Indian politics.
- ✓ The reservation is no panacea which will completely end the deeply-rooted gender bias in India's socio-political set-up, but passing the Women's Reservation Bill, 2008 will be the ideal way to make a start.
- ✓ The increased presence of young elected leaders may in turn encourage more citizens to recognize young people as willing and able to lead.
- ✓ The one option to nudge political parties into backing young candidates amidst such pushbacks is to consider legally-backed youth quotas.
- ✓ It could be in the form of either seats exclusively reserved for youth or a specified proportion of young candidates all registered parties contesting an election must field.

WHAT IS THE ITALIAN MARINES CASE?

The **Supreme Court** on 9 April 2021 said that **the case against two Italian marines** who gunned down two Indian fishermen off the coast of Kerala in February, 2012, **will be closed only after Republic of Italy deposits with it Rs 10 crore as compensation** to victims. The compensation is a mutually agreed amount between India and Italy in terms of the award by an international tribunal.

The apex court has said that Rs 4 crore each out of the compensation will go to the next of kin of the two fishermen while Rs 2 crore will be given to the owner of the fishing vessel in which they were travelling.



What is the Italian Marines case?

On **15 February 2012**, two **Indian fishermen returning from a fishing expedition** near **Lakshadweep islands** onboard fishing vessel St Antony were gunned down by two Italian marines on board oil tanker **Enrica Lexie**. The incident occurred around **20 nautical miles off the coast of Kerala**. Shortly after the incident, the Indian Coast Guard **intercepted Enrica Lexie** and detained the two Italian marines—**Salvatore Girone** and **Massimiliano Latorre**.

Following this, the **Kerala Police registered an FIR against them for murder** and arrested them. In April, 2013, the case was transferred to the **National Investigation Agency (NIA)** which invoked the **Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA)**. The SUA Convention was passed in 1988 with the goal of suppressing international terrorism.

Meanwhile, **in early 2013**, the **marines were allowed to go back to Italy to vote**. Once the marines landed in Italy, Italian authorities notified India they would not return the marines unless there was a guarantee they would not face the death penalty. After tense diplomatic discussions, the two marines were returned, without any of the guarantees requested by Italy.

What was the dispute over the case?

India argued it had jurisdiction over the case as the two fishermen were killed without warning just **20.5 nautical miles from Indian coast** making the area part of **India's Exclusive Economic Zone (EEZ)**.

The Kerala High Court had earlier observed that through a Government of India notification in 1981, the IPC had been extended to the EEZ, and Kerala's territorial jurisdiction was not, therefore, **limited to 12 nautical miles**. The court also said that under SUA, Kerala had jurisdiction up to 200 nautical miles from the coast. The Supreme Court later said that the Centre had jurisdiction over the case and not Kerala.

Italy claimed that as the **Indian vessel drew close**, the marines assessed that it "was on a collision course with the **MV Enrica Lexie** and that this **modus operandi** was consistent with a pirate attack". It claimed that the fishing vessel continued to head towards the tanker despite sustained visual and auditory warnings, and the firing of warning shots into the water.

Italy claims the marines had been hired to protect the tanker from pirates and they were **only doing their job**. Italy argues the **marines enjoyed sovereign functional immunity in India** and Italy alone had jurisdiction to deal with them. According to Italy, it was an **"incident of navigation concerning a ship on the high seas"**, outside the territorial waters of India. It has cited **Article 97** of the

United Nations Convention on the Law of the Sea (UNCLOS): “In the event of a collision or any other incident of navigation concerning a ship on the high seas”, only the flag state of that ship can launch penal proceedings.

Italy criticised the prosecution pursuant to the SUA Convention as equating the incident to an act of terrorism. On 7 March 2014, **India dropped the SUA charges** against the marines. On 7 February 2014, the charges were downgraded from murder to violence meaning the marines would not face the death penalty if convicted. Later, **Latorre and Girone returned from India to Italy** on 13 September 2014 and 28 May 2016, respectively.

How did the dispute move to an international tribunal?

On 26 June 2015, **Italy instituted proceedings against India** before an **arbitral tribunal to be constituted** under Annex VII of UNCLOS. On 21 July, it submitted a request before the **Hamburg-based International Tribunal for the Law of the Sea (ITLOS)**, an arbitral tribunal under the International Court of Justice, under **Article 290**, Paragraph 5 of UNCLOS, seeking “**provisional measures**” directing India to not take any judicial or administrative step against the marines, and to allow Girone to leave and let both men stay in Italy until the end of the Tribunal’s proceedings.

India asked ITLOS to reject the submission, saying, “The story told by **Italy is as short and straightforward as it is misleading**... (It) omits several crucial aspects which are the crux of the issue... (And) seriously distorts reality.” The delays that Italy had complained of were “**due to Italy’s own delaying tactic**”, India said. It added that Italy had, “**in reality, not conducted any kind of serious investigation on the facts**, thus showing how little they trust in their own thesis of their right — let alone exclusive right — to exercise criminal jurisdiction over the two persons accused of murders”.

What did ITLOS decide?

On 24 August 2015, ITLOS directed that both countries “**shall suspend all court proceedings**” in the matter, and asked them not to start new proceedings that might aggravate the dispute or **jeopardise proceedings of the arbitral tribunal**. It said it did not consider the Italian submissions to be “appropriate” because “**the Tribunal may prescribe measures different in whole or in part from those requested**”.

The Supreme Court stayed all proceedings against the two Italian marines. The matter finally reached the **Permanent Court of Arbitration in July, 2019**.

What did it say?

In **May, 2020**, the court ordered that the **marines will not be tried in India**, and **will face criminal proceedings in Italy**. The court, based in The Hague, further said New Delhi was entitled to compensation and asked **India and Italy to consult on the amount of compensation due**.

In a **close 3:2 vote**, the tribunal ruled that the **Italian marines enjoyed diplomatic immunity** as Italian state officials under the **United Nations Convention on the Law of Sea**. Taking note of the **“commitment expressed by Italy”** to resume its criminal investigation into the incident, the tribunal said India must cease to exercise its jurisdiction.

How did India react?

In **July 2020**, the government told the Supreme Court that it had decided to accept the tribunal's 21 May 2020 ruling in the case and sought disposal of the proceedings pending before the court in view of the **tribunal's ruling**.

The court, however, made it clear that **it would not pass any order without hearing the victims' families**, who, it said, should be given adequate compensation.