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CONSTITUTIONAL MISADVENTURE: THE HINDU EDITORIAL ON THE TAMIL NADU GOVERNOR'S MOVE

Relevant for: Developmental Issues | Topic: Important Aspects of Governance, Transparency & Accountability including Right to Information and Citizen Charter

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July 01, 2023 12:20 am | Updated 12:34 am IST

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Tamil Nadu Governor R.N. Ravi appears to be on a mission to demonstrate his tenuous grasp of the Constitution. In an action without precedent — and, as it turns out, without forethought — he sent out a communication to the Tamil Nadu Chief Minister, M.K. Stalin, that [he had dismissed V. Senthilbalaji](#), a State Minister without Portfolio, who is in hospital and in judicial custody. Within hours, [on the advice of the Union Home Minister](#), he again wrote to the Chief Minister that he was holding the order in abeyance and was, instead, seeking the opinion of the Attorney General of India. One would have thought that a Governor expected to abide by constitutional norms would have obtained appropriate legal opinion prior to his drastic action. That Mr. Ravi had to be advised to seek ex post facto legal opinion reflects poorly on his decision-making prowess. His letter says he was invoking Articles 153, 163 and 164 of the Constitution, which deal with the executive power of the State being vested in the Governor, his acting on the Cabinet's aid and advice, and the appointment of the Chief Minister and other Ministers. The constitutional scheme set out in these articles gives no room for doubt that the Governor has no discretion in the matter of appointing and removing ministers, which is under the Chief Minister's domain.

Mr. Ravi has sought to justify the extraordinary action by referring to the allegations against the Minister and the Supreme Court of India's observations in a recent order. However, any call to remove a Minister is an appeal to moral sense rather than a legal requirement. For the Governor to remove someone unilaterally on the ground that his earlier counsel to drop a Minister went unheeded is nothing but a constitutional misadventure. It will be desirable if Ministers facing charges quit on their own, or they are removed by the respective Chief Ministers. In the past, the framing of charges in the trial court has led to Ministers being removed, but it remains a moral high ground, and not a mandatory feature of the constitutional system. Few would disagree that the charges of bribery that Mr. Senthilbalaji faces, dating back to his stint in the erstwhile All India Anna Dravida Munnetra Kazhagam regime, and allegations of laundering the proceeds are serious enough to merit his stepping down until he is cleared of charges. Mr. Stalin could have acted on his own to avoid facing the charge that he is providing a "shield of office" for the Minister to protect himself or that the Minister's presence in the Cabinet is obstructing the due process of law. But nothing can excuse the Governor's misadventure.

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POLICY CHANGES TO MAKE HEALTHY FOOD CHEAPER ARE THE NEED OF THE HOUR TO TACKLE DIABETES EPIDEMIC: EXPERT

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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June 30, 2023 08:14 pm | Updated 09:49 pm IST - CHENNAI

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“Foods like fish, fruits and vegetables are more expensive, making this a social determinant in the rise of cases of diabetes. We have to find ways to cultivate healthier food and maybe provide them through government schemes to make them more affordable and accessible,” said Nihal Thomas, senior professor, department of endocrinology, diabetes and metabolism, Christian Medical College, Vellore. | Photo Credit: C. Venkatachalapathy

Food high in carbohydrates is cheap, whereas food that is high in fibre, and therefore healthier is more expensive, making this one of the contributing factors to the high prevalence of [diabetes in India](#).

“Foods like fish, fruits and vegetables are more expensive, making this a social determinant in the rise of cases of diabetes. We have to find ways to cultivate healthier food and maybe provide them through government schemes to make them more affordable and accessible,” said Nihal Thomas, senior professor, department of endocrinology, diabetes and metabolism, Christian Medical College, Vellore.

Prof. Thomas was speaking at a press conference on June 30, to discuss two recent papers, of which he is one of the authors, ‘Global Inequity in Diabetes 1’ and ‘Global Inequity in Diabetes 2’, published in the medical journal *The Lancet*. Shivani Agarwal of the Albert Einstein College of Medicine, New York was the corresponding author of the paper. The other Indian contributor was Chittaranjan Yajnik of the KEM Hospital Research Centre, Pune

Also Read | [11% of India’s population is diabetic while 15.3% could be pre-diabetic, says study](#)

Pointing to how our diet patterns have changed over the course of the past few decades, Prof. Thomas said healthier millets, once staple in rural parts of India, had now been replaced by polished rice. “The importance of millets cannot be overstated. The government must find ways to provide millets; it must provide incentives to fibre-rich food and disincentivise carbohydrate-rich food, while keeping in mind the livelihoods of stakeholders,” he said.

While the high cost of healthy food was a current social determinant in the epidemic of diabetes

in the country, Prof. Thomas also highlighted larger, historical determinants: colonisation and famines. Both these contributed to poor education, a lower socio-economic strata and reduced decision-making among women, all of which are now, he said, factors in the explosion of non-communicable diseases in the country.

Another factor was the thrifty phenotype: a correlation between low birthweight and the increased risk of developing type 2 diabetes. Low birthweight, Prof. Thomas said, generally came from several generations of malnutrition in the family and its reversal too, could take several generations. Low birthweight was found to be associated with smaller pancreas, increased fat and smaller muscles, which eventually led to an increased risk of diabetes as well as a higher risk of hypertension, as kidneys too, are found to be smaller in persons who had low birthweight. The good news, however, he said, was that with exercise, these patients too, could lose fat and improve muscle mass.

At present, the world has about 53 crore people with diabetes, and estimates indicate that this will rise to 130 crore by 2050, primarily in South Asia, including India, he said. And about half of all those who become diabetic will be obese, he said, stressing the need to tackle obesity as a primary therapeutic. Another important factor he highlighted was the need to screen young women, especially those contemplating marriage, as gestational diabetes, he said, was “an epidemic within the epidemic”.

Since about 40% of those with diabetes in India do not even know they have it and remain undiagnosed, regular screening was crucial, he said. This, alongside public awareness, policy changes and innovations in treatment that focused on the needs of Indians, could go a long way towards tackling the diabetes challenge, he said.

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NEWBORN GENOME-SEQUENCING UNLOCKS THE BLUEPRINT OF HEALTH

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 02, 2023 10:30 am | Updated 10:30 am IST

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Representative image: A technician prepares to sequence genetic material at a research facility. | Photo Credit: nci/Unsplash

This article is part of a fortnightly column exploring contemporary concepts and issues in genetics.

Imagine a situation where a severely ill newborn is in the ICU and a fast, effective diagnosis could enable effective treatment – a scenario that plays out practically in every [neonatal ICU](#) on a regular basis. The situation is complicated when the disease affecting the baby is not common and known to many clinicians, and could be buried in medical textbooks or databases.

There are 6,000 or so genetic diseases, of which around 3,500 diseases have been documented, and a much smaller number have had their molecular and/or genetic defects mapped.

A significant number of diseases in the population are also treatable but are nevertheless prevalent.

Newborn screening programmes now in vogue in different countries, and which have been deployed in some states in India as well, are based on the fact that an early diagnosis could allow us to use effective treatments and save an infant from death or disability.

For example, in the U.S., healthcare workers screen for around 30 diseases, including treatable ones of the blood, the endocrine system, and metabolism.

Then again, in many cases, they lose the window of opportunity because standard newborn-screening programmes are limited in the menu of genetic tests they cover.

Thanks to recent advances, genomic-sequencing is now available, accessible, and in many ways more affordable. It also offers a much better coverage of genetic diseases to screen for. Importantly, this could help healthcare workers make a fast and effective diagnosis, helped by the fact that sequencing is also a 'single' test, versus the multitude of tests performed as part of routine newborn-screening.

The rarity of many genetic diseases, the narrow window of opportunity, the long diagnostic paths, and the unfortunate deaths of ill newborns makes it very difficult to document and understand these diseases. However, population-scale genome-sequencing efforts have provided insights into the prevalence of many of these diseases in an unbiased manner.

Discoveries in the last three decades have also allowed a small but significant number of diseases to be treated or managed effectively. This in turn opened up a newer opportunity: to diagnose and treat genetic diseases through genomic-sequencing in newborns, especially sick newborns.

Researchers at the Rady Children's Institute, led by Stephen Kingsmore, [earlier showed](#) that whole-genome sequencing could provide a much higher number of positive cases with a diagnosis, around 40% (compared to standard genetic tests at 10%), with 26% of the diagnosed children benefiting from reduced severity of illness due to the rapid diagnosis and, consequently, a significant reduction in the cost of treatments.

[Another report](#) a year later from researchers in the U.K. also reported numbers consistent with previous reports.

The benefits of sequencing may not just be limited to newborns who are unwell. The BabySeq project funded by the U.S. National Institutes of Health is one of the most comprehensive studies to evaluate sequencing of newborns for routine newborn care.

One [recent study](#) conducted by the project, and published in the *American Journal of Human Genetics*, evaluated the sequences of 127 apparently healthy and 32 sick infants. It found that just over 10% of infants had an unanticipated risk of genetic diseases. When these infants were followed up for three to five years, sequences revealed the causes of disease in three infants; in the remaining 14, a better picture of the risk made way for better medical surveillance.

The sequencing also warranted additional at-risk family members of 13 infants to have their genes sequenced. Three of them benefited from subsequent surgeries.

Another [recent study](#), published in *JAMA Network Open*, surveyed over 200 genetic experts. Most of them firmly believed that sequencing newborns should be part of routine care.

So it isn't surprising that the U.K. National Health Services recently launched a nationwide programme to sequence 100,000 sick newborns.

The fight for who can sequence the fastest started with the first Guinness Book of records entry: in 26 hours, by Dr. Kingsmore & co., a mark his team broke in 2018 for a time of 19.5 hours. In 2021, Euan Ashley and team got there in just over 5 hours and 2 minutes

Records apart, a large study with more than 100 children with different disease complexities, and published in 2019, suggested a median time for sequencing, clinical interpretation and reporting of just over 20 hours, suggesting the approach could have far-reaching impact in clinical settings.

With technological advances, including better AI-based tools to assist clinical decisions, rapid sequencing is likely to become a diagnostic mainstay for unwell infants in clinics.

Newborn whole genome sequencing presents multiple ethical challenges. First: the issue of disclosing and managing incidental and secondary findings raises concerns about privacy and the psychological impact on families. [Updated recommendations](#) by the American College of

Medical Genetics and Genomics regarding secondary findings could help deal with incidental findings.

The equitable distribution of benefits and burdens associated with accessing and utilising this technology also invoke issues of justice and fairness .

As the vast potential of rapid newborn whole-genome sequencing unfolds, we stand at a crossroads of hope and introspection. There is no doubt that this technology will help clinicians with the means to detect rare genetic disorders, anticipate susceptibility to disease, and give them the evidence required to prescribe better treatments and shape a healthier future. Yet we must also tread carefully, considering the delicate balance between benefits and harm.

If we do, then it may not be far-fetched to imagine that rapid whole-genome sequencing will be the right of every child in the years to come.

The authors are scientists at the CSIR Institute of Genomics and Integrative Biology. All opinions expressed here are personal.

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MAKING DISABILITY COUNT: THE HINDU EDITORIAL ON WHY NFHS WILL YIELD MORE ROBUST, DATA ON THE DISABILITY SECTOR

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

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July 03, 2023 12:20 am | Updated 09:40 am IST

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The significance of data in influencing policy constructs and thereon, decisions, is non-contestable. The country takes periodic stock of various parameters just to inform welfare policies better. In context, the recent [decision of the Union government to drop the disability-specific question](#) from the National Family Health Survey (NFHS)-6 seems churlish and sends out wrong signals. After years of campaigning for the same, activists rejoiced when the government added one question on disability in the NFHS-5, and were hopeful that this would be built upon in subsequent versions of the nation-wide survey. The deletion, and [reluctance to map the minutiae](#) that will help understand their lives and needs better, leaves the question: is the government serious about its commitment to the disabled in the country, who number, as per the 2011 Census, about 2.68 crore? The Ministry of Health and Family responded that questions about disability were already asked as part of the Sample Registration Survey (SRS) 76th round, conducted between July and December 2018, and that any specific information can be tabulated from the raw data, which is also available in the public domain. It has also gone on record stating that disability data will 'not change fast'. That might be an erroneous supposition.

While gross data on disabilities will change marginally (but still be substantial given the numbers), the count of 6.1 lakh sample households that the NFHS relies on will make the data set truly representative. The elaborate questions asked by the NFHS will provide valuable specifics on the lives of the disabled; something on that scale hitherto conspicuous by its absence. While the SRS does a good job with marking the prevalence and incidence of disability, education level, living arrangements, care-givers, certificate of disability, accessibility and unemployment rate, among others, the NFHS asks more comprehensive questions. It seeks answers on health and nutrition status, access to health schemes, insurance, sexual behaviour, availability of family planning, use of contraception, domestic violence, household amenities and possessions, lifestyle indicators, and access to drinking water and toilets. There is no doubt that the latter will yield better, more robust, data on the disability sector. While Health Ministry officials claim that the sole NFHS question on disability too resulted in under-reporting, that might actually be a function of training for field staff who ask the questions. The state must employ these efforts — adding questions on disabilities, training field staff, because nothing really justifies any attempt to keep a significant section out of a massive scale count of the Indian population.

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WHITE AGAINST GREEN: THE HINDU EDITORIAL ON THE ALLURE OF WIMBLEDON

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July 03, 2023 12:10 am | Updated 12:13 am IST

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[Wimbledon](#) is no ordinary tennis tournament. Played on one of the game's two natural surfaces, The Championships is one event that every child that picks up a racquet dreams of winning. The resplendent green lawns, the spotless white attires and how the two combine to immaculately fill the television screens of fans worldwide only add to the allure. It was thus no surprise that even when Wimbledon was stripped of ranking points last year for barring Russian and Belarusian players against the backdrop of the Russia-Ukraine war, it did not acquire the look and feel of a glorified exhibition event. Rafael Nadal underwent radio-frequency treatment on his leg to ensure participation; Serena Williams came out of semi-retirement and a pantheon of stars, including Rod Laver and Billie Jean King, gathered to celebrate the iconic Centre Court's centenary. As the 2023 edition gets underway on Monday, it will be an opportunity for the aficionados to rekindle their love for the premier competition. It helps that none of last year's distractions remains. The Russians and Belarusians have been welcomed back and Wimbledon has its ranking points restored. In another sign of listening to the world, organisers have shortened doubles matches to best-of-three sets, in line with the other three Majors.

Monday will also mark the first Wimbledon since eight-time men's singles titlist Roger Federer officially retired. Novak Djokovic may be a seven-time champion, but his enduring grass-court excellence notwithstanding, it is the Swiss maestro whom this era's fans most romanticise. It remains to be seen if the action over the next fortnight provides cues to identify the next king of grass. The popular choice is World No. 1 [Carlos Alcaraz](#), who burnished his credentials by winning the tune-up at Queen's Club. But Djokovic is a four-time defending champion and has not lost a completed match at SW19 since Sam Querrey beat him in 2016. That the 23-time Major winner can tie Federer's record of eight crowns and is halfway towards an improbable Grand Slam (winning all four Slams in a single year) can be big motivations. Among women, the list of contenders is more spread out, with two-time winner Petra Kvitova, defending champion Elena Rybakina, 2022 finalist Ons Jabeur, 2021 semifinalist and World No.2 Aryna Sabalenka all in the mix. World No.1 Iga Swiatek's grass-court nous is not fully developed but someone who has lifted the junior trophy in these parts is not to be trifled with. Five-time winner Venus Williams is making a return, aged 43. After all, what is Wimbledon without a bit of ageless romance.

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SMOKE SIGNAL: NEW STUDY OUTLINES YOUTH SUSCEPTIBILITY TO VAPING

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 03, 2023 09:02 pm | Updated 09:02 pm IST

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Recently a research report on e-cigarettes was published by Simone Pettigrew et. al. from the George Institute for Global Health, University of New South Wales, Sydney, Australia. The authors studied the factors contributing to young people's susceptibility to e-cigarettes in four countries (Australia, China, India, and the United Kingdom).

The factors include demographic characteristics, e-cigarette, and tobacco use, exposure to e-cigarette advertising, and number of friends and family members who vape. Those who had never used e-cigarettes were also assessed for susceptibility (curiosity about e-cigarettes, intentions to use in the next 12 months, and likely use if offered by a friend). The research findings were published in the journal *Drug and Alcohol Dependence*.

The results were astonishing. Although India is one of the few countries that has completely [banned the sale of e-cigarettes](#), the results revealed that 61% of young people from India who never used e-cigarettes are susceptible to vaping e-cigarettes. The results are comparable with the U.K., where it is 62%. Whereas China had the high numbers (82%) and Australia had the fewer numbers (54%) when compared to India.

The factors associated with susceptibility were identified as: tobacco use, exposure to advertising, higher income, and having friends and family members who vape. Factors that had a negative association with susceptibility were perceptions of harmfulness and education.

The concept of e-cigarettes serving as a gateway to smoking traditional cigarettes has been a topic of debate among researchers and public health experts. It was initially recommended as a smoking cessation device by the manufacturers; however, there are no proven results to say it is an effective tool to quit smoking. E-cigarettes are not approved by the FDA as a smoking cessation aid.

It was argued that the e-cigarette aerosol contains fewer toxic chemicals than the deadly mix of 7,000 chemicals in smoke from regular cigarettes, and therefore, this could be a potential harm reduction strategy. However, the harmful effects of e-cigarette aerosol cannot be outweighed. It is reported to contain harmful and potentially harmful substances, including nicotine, heavy metals like lead, volatile organic compounds, and cancer-causing agents (CDC).

Therefore, it's still not the safer alternative.

In a study by CDC, it was found that many adults use e-cigarettes in an attempt to quit smoking. However, most adult e-cigarette users do not stop smoking cigarettes and are instead continuing to use both products (“dual use”).

The aerosol is produced in the E-cigarettes by heating a liquid that contains nicotine—the addictive drug in regular cigarettes, cigars, and other tobacco products—flavourings, and other chemicals help to make the aerosol. Not only do users inhale this aerosol into their lungs, but the bystanders also breathe in this aerosol when the user exhales into the air (Center for Disease Control and Prevention). The ultrafine particles can be inhaled deep into the lungs. The flavours, such as diacetyl, is a chemical linked to serious lung disease.

The nicotine in the e-cigarettes is addictive and toxic to developing foetuses. Nicotine exposure can also harm adolescent and young adult brain development, which continues into the early to mid-20s.

Adolescents are the soft targets for the industries. The designs and flavours are specially made to attract youth. E-liquids come in a wide range of flavours, including fruit, candy, menthol, and tobacco. A plethora of evidence showed that the devices were causing a new form of nicotine addiction even among non-smokers.

Although a few countries banned its sale or restricted its use, others have brought regulations to control aspects such as advertising, packaging, and nicotine content. Despite the ban, restrictions and regulations, the online marketing and sale must be controlled by the regulatory authorities.

While India is still struggling to restrict smoking and implement the ban on *gutkha*, the findings of Simone Pettigrew are of great concern today. It is crucial that the government and other stakeholders take stringent measures to protect youth from the harmful effects of e-cigarettes.

Stricter regulations should be put in place to prevent marketing and advertising. It is mandatory for the regulatory authorities to collaborate with online platforms and marketplaces to implement and enforce policies that prohibit the sale of e-cigarettes to underage individuals. Robust monitoring systems to identify online platforms and websites that sell e-cigarettes should be in place to help regulatory authorities to take prompt action.

As of today, 47 countries have banned e-cigarettes, the latest one being Australia.

Public health experts have been crying out for decades that tobacco in any form kills. It is time to wake up to protect the next generation, from even milder forms of tobacco use.

(The author is director, Fenivi Research Solutions and has anchored tobacco cessation training programmes)

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THE IRREVOCABLE CONNECTION BETWEEN ANAEMIA AND MATERNAL HEALTH

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July 05, 2023 08:30 am | Updated 08:30 am IST

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The WOMAN-2 trial collaborators, 'Maternal anaemia and the risk of postpartum haemorrhage: a cohort analysis of data from the WOMAN-2 trial', *The Lancet*, June 27, 2023, [doi.org/10.1016/S2214-109X\(23\)00245-0](https://doi.org/10.1016/S2214-109X(23)00245-0)

Of late anaemia has been in the news in India, what with the government proposing to remove a question on it from the National Family Health Survey (NFHS) and instead do a more elaborate test to determine haemoglobin levels in the blood as part of the Diet and Biomarker (DAB) survey. A paper recommending that normative values for haemoglobin must be lowered in India, based on a small study, has also come in for criticism. The WhatsApp groups of two professional sectors, where repartees have been flying hard and fast are those belonging to nutritionists and obstetricians and gynaecologists. The latter groups who have actually seen the impact of anaemia especially on maternal and infant health have been articulating their views on keeping the standards for anaemia, and to not amend them based on a statistically insignificant study. Policy makers in India must allow the results of a multi-country study published recently in *The Lancet* to inform their rules on measuring anaemia, handling it and making sure the interventions are sensible and far reaching.

Anaemia has a very strong link with postpartum haemorrhage (excessive vaginal bleeding after delivery), and the risk of death or near miss is very high.

As per the study, by the WOMAN (World Maternal Antifibrinolytic)-2 trial collaborators, worldwide, more than half a billion women of reproductive age are anaemic. Each year, about 70,000 women who give birth die from postpartum haemorrhage, almost all of them in low-and middle-income countries. While a known risk of anaemia or low haemoglobin levels is postpartum death, researchers decided to examine in detail the association between anaemia and the risk of postpartum haemorrhage.

This trial enrolled over 10,000 women with moderate or severe anaemia giving birth vaginally in hospitals in Pakistan, Nigeria, Tanzania, and Zambia, countries where anaemia in pregnancy was common and established by other trials. They examined the continuous association between prebirth haemoglobin and the risk of postpartum haemorrhage in a large cohort of women from low-and middle-income countries. The advantage of examining anaemia as a continuous variable, the authors argued, is that demonstration of a monotonic biological gradient is more suggestive of a causal relationship. The outcome was defined as an occurrence of

postpartum haemorrhage, defined in three ways: “clinical postpartum haemorrhage (estimated blood loss 500 mL or any blood loss sufficient to compromise haemodynamic stability); WHO-defined postpartum haemorrhage (estimated blood loss of at least 500 mL); and calculated postpartum haemorrhage (blood loss of 1,000 mL).

The mean age of the women from Pakistan, Nigeria, Tanzania and Zambia was just over 27 years. There was clear evidence from the study that lower haemoglobin values had a direct relationship with volume blood loss, and clinical postpartum haemorrhage. “We found that with decreasing maternal haemoglobin concentration, the risk of postpartum haemorrhage increases monotonically,” the authors recorded.

Anaemia reportedly reduces the oxygen-carrying capacity of blood, and therefore, women with anaemia cannot tolerate the same volume of bleeding as healthy women, and become shocked after a smaller volume blood loss, the authors reasoned. Further they added, “Given the lack of an established definition of postpartum haemorrhage in women with anaemia, before conducting this study, we examined different definitions of postpartum haemorrhage in terms of their specificity for substantial bleeding, and their association with fatigue, physical endurance, and breathlessness.” They eventually found that a clinical diagnosis of postpartum haemorrhage was highly specific for clinical signs of shock and irrevocably associated with worse maternal function.

The mean estimated blood loss post delivery was 301 mL for the 8,791 (3.2%) women with moderate anaemia and 340 mL for the 1,770 (16.8%) women with severe anaemia. 742 (7.0% of the total) women had clinical postpartum haemorrhage. The risk of clinical postpartum haemorrhage was 6.2% in women with moderate anaemia and higher, 11.2% in women with severe anaemia. Fourteen women died and 68 either died or had a near miss. Severe anaemia was associated with seven times higher odds of death or near miss than was moderate anaemia. Researchers further said that a 10 g/L reduction in prebirth haemoglobin increased the odds of clinical postpartum haemorrhage.

The authors went on to recommend that attention should be given to the prevention and treatment of anaemia in women once they hit reproductive age.

The Indian government has a well-structured project to provide weekly iron and folic acid supplements to adolescent girls (and boys), in order to tackle the looming crisis of anaemia. The climb to a barely-acceptable haemoglobin content of 12 for women seems very steep, given the nutrition status of these children, primarily in rural areas, where quality and quantity of what they eat is less than ideal, and is only exacerbated by malabsorption, public health, experts added.

The task has already been cut out for the Indian public health programme. Health managers are aware of the risks of anaemia and know what to do to handle it. However, the rising levels of anaemia in the country is a source of concern and mandates that any project to bring down anaemia in the country must be on mission mode. The solution is not to bring down the gold standard laboratory readings literally. While the argument to detach anaemia from the NFHS is that the DAB would be undertaking a more elaborate blood draw to measure haemoglobin levels accurately, the argument against it is also that such a measure may not be feasible for a large group of people, who may say okay to a capillary blood draw (finger prick) but balk at a venous blood draw. Any public outreach programme must be mindful of the cultural, social realities and have a sense of the attitudes of the people they are targeting. If these factors are not sewn into a public health programme, the outcomes may be far from what was sought or planned, experts said.

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LESSONS FROM THE FRACAS OVER FOODGRAINS

Relevant for: Indian Economy | Topic: Public Distribution System: Objectives, Functioning, Limitations & Revamping

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July 05, 2023 12:15 am | Updated 12:15 am IST

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Grains stored at the FCI godown in Mysuru. | Photo Credit: M.A. SRIRAM

The Karnataka government's decision to convert the promised Anna Bhagya scheme to a direct benefit transfer temporarily has brought into focus the limits of a State government's policy intervention on a crucial matter such as food security.

Under Anna Bhagya, the government had envisaged the provision of five kg of free rice per person per month to 4.42 crore beneficiaries, including 45 lakh Antyodaya Anna Yojana (AAY) cardholders, 3.58 crore Priority Household (PHH) cardholders, and 39 lakh cardholders belonging to Karnataka's own category of PHH. This was in addition to the regular entitlements to the beneficiaries under the National Food Security Act (NFSA). The State would have required around 2.3 lakh metric tonnes of rice every month to meet this commitment. The Food Corporation of India (FCI) had agreed on June 12 to supply the quantity under the Open Market Sale Scheme-Domestic (OMSS-D) for July, but the Centre had a different plan. Anna Bhagya, which was to be launched on July 1, ran into a serious problem on June 13 when the Union Food Ministry discontinued the sale of rice and wheat under OMSS-D to all State governments, with exceptions. Karnataka had planned to utilise OMSS-D to implement the scheme, which was one of the five pre-poll guarantees of the Congress party.

Though the OMSS is meant for the sale of surplus stocks of wheat and rice at pre-determined prices through e-auctions in the open market, to improve the supply of foodgrains and control the price line, States have generally been allowed to purchase the surplus stock without e-auctions. The OMSS is now limited to accommodate small and marginal buyers and traders. The quantity that a bidder can purchase in a single bid ranges from 10-100 metric tonnes at present. The Centre's decision took several States, especially rice-deficit ones, by surprise, since OMSS is one of the routes that they use to supplement their allocation. The suddenness of the decision especially hit Karnataka, which had begun preparations to launch the scheme in anticipation of the FCI's help. Had there been an effective communication system in place between the Union Food and Public Distribution Department and the FCI, a statutory body under the Central government, the whole controversy could have been avoided. While suggestions were made for providing ragi and jowar, both grown in parts of Karnataka, to partially meet the proposed demand, this too would have posed supply constraints, as the quantity required was substantial.

Of course, the Centre has its own compulsions in restricting the availability of foodgrains under

OMSS-D. The quarterly stock position of rice and wheat in the Central pool, as on April 1, 2023, was the lowest in the last three years, despite being much higher than the level prescribed in the foodgrains stocking norms. Uncertainty regarding the south-west monsoon and the possible impact of an adverse monsoon on the production of foodgrains are factors that the authorities must have considered before taking the decision to restrict supply. All this only justifies the need for more broad-based consultation. Besides, whether it is feasible to rely on private traders to bring down the prices for those not covered under the NFSA is a moot question.

There is one difference between the present and the immediate past: the Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY), implemented in the wake of the COVID-19 pandemic, is no longer in force. This scheme had provided five kg of free foodgrains per person per month from the central pool to AAY and PHH cardholders all over India.

The episode has delivered a key message to States that they must have their own mechanisms in place before launching any scheme. Even if there had been no row between the Central and Karnataka governments, the sustainability of Anna Bhagya was questionable as supply only through OMSS-D would not have been sufficient. On average, about 16 lakh tonnes were drawn in total by all the players in the country from 2018-19 to 2022-23. The highest quantity of about 24.6 lakh tonnes was drawn in 2020-21, the first year of COVID-19. But Karnataka would have needed about 27.5 lakh tonnes annually, about 1.5 lakh tonnes higher than the State's allocation under the NFSA for 2023-24. Thus, the States must consider the macro picture to ascertain the practicality of their new schemes. The Centre indeed has reason to be worried if every other State promises a scheme of its own in the food sector, based on the expectation that the Central government and the FCI will come to its rescue without any regard for the emerging reality. If States do not exercise discipline and such a trend goes unchecked, the country would not have comfortable stock, let alone surplus. Also, the problem was not only of availability, but also cost. The FCI had reportedly agreed to supply grains to Karnataka at 36.6 per kg. Assuming that the required quantity was obtained at this cost, the monthly outgo would have been about 840 crore.

There is no crisis as of now on the foodgrains front. But the present situation should serve as a lesson to all political players to exercise moderation while making electoral promises, especially on matters concerning food security. Also, they should stop viewing foodgrains as an instrument of politics and begin to take an objective appraisal of programmes such as PMGKAY and Anna Bhagya.

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ANTIBIOTICS WITH PROMISE — A LIFELINE INDIA AWAITS

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July 05, 2023 12:08 am | Updated 12:08 am IST

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'The constant race against time, trying to stay one step ahead of the mutating bacteria, adds to the immense pressure and helplessness experienced by doctors on the frontlines' | Photo Credit: Getty Images

In the relentless battle against highly drug-resistant infections, a team of doctors recently witnessed a glimmer of hope amid the challenges they faced. Their extraordinary efforts and the life they saved highlight the critical need for action. This is not just a story; it is an earnest plea for Emergency Use Authorisation (EUA) for essential antibiotics that can make a profound difference between life and death.

In an intensive care room of a leading hospital in Hyderabad, an 18-year-old patient bravely fought not only his aggressive T-cell leukemia but also a formidable and resistant adversary — Extensively Drug Resistant *Pseudomonas aeruginosa*. This strain, known for its high resistance to multiple antibiotics, left the medical team with limited and often ineffective treatment options. Despite the administration of last-resort antibiotics, the patient's condition deteriorated rapidly. Persisting fever spikes, and the infection's assault on his lungs signalled a grave situation. The bacteria were literally eating up the patient's face. Time was running out, and his life hung in the balance.

In their quest for a lifeline, the doctors turned to a promising antibiotic, cefepime/zidebactam. Developed by Indian researchers, this antibiotic combines two active components to combat drug-resistant gram-negative pathogens, including *Pseudomonas aeruginosa*. While still undergoing phase 3 trials internationally, this Indian innovation has shown remarkable potential. Under a compassionate use protocol, the necessary approvals were obtained, and the patient received cefepime/zidebactam. Miraculously, signs of clinical improvement began to surface. The patient's fever subsided, blood cultures turned negative, and the need for oxygen diminished. Slowly but steadily, his strength returned, reigniting hope.

This extraordinary case underscores the urgent importance of granting EUA for antibiotics currently in phase 3 trials or licensed from other countries. The survival of this young patient serves as a poignant reminder of the need for timely access to effective antibiotics for those most in need.

Infection specialists, intensivists, oncologists, and doctors treating severe infections in critically ill

and immunocompromised patients are confronted with a grave reality. The scarcity of potent antibiotics to combat drug-resistant infections poses a direct threat to countless lives. It is distressing to witness patients succumb to infections just because the available antibiotics have lost their effectiveness due to rising resistance. The dire situation faced by doctors as they grapple with drug-resistant infections is a devastating reality that cannot be ignored. Each year, millions of lives are lost due to the inadequacy of available antibiotics in the face of these formidable pathogens. The relentless march of drug resistance has rendered once-effective treatments ineffective.

The challenges faced by doctors in combating drug-resistant infections are multifaceted. They must navigate through a shrinking arsenal of effective antibiotics, leaving them with limited choices and often resorting to suboptimal treatments that may have significant side-effects or offer little hope of a cure. The constant race against time, trying to stay one step ahead of the mutating bacteria, adds to the immense pressure and helplessness experienced by doctors on the front lines.

India, a nation that has demonstrated remarkable progress in granting EUA for COVID-19 vaccines, now stands at a critical juncture. We must extend the same level of urgency and commitment to saving the lives of patients who may otherwise succumb to infections resistant to all currently available antibiotics.

While it is true that several antibiotics are licensed within our country based on small clinical studies and of questionable benefit, we must recognise that what we truly need are powerful weapons to fight against drug-resistant infections. Antibiotics that have been thoroughly evaluated or proven to be effective are essential in the battle against superbugs.

Cefepime/zidebactam is a shining example of India's scientific prowess. Currently undergoing international phase 3 trials, this antibiotic has demonstrated its potential to save lives. By recognising the importance of cefepime/zidebactam and expediting its EUA, we not only save lives within our borders but also extend a helping hand around the globe to countless individuals in desperate need of effective treatment options.

Cefiderocol, a licenced antibiotic in several countries, developed by a Japanese company, has demonstrated excellent efficacy against drug-resistant infections. It is disheartening that it remains unavailable within our country. The gravity of the cases faced by patients in India demands access to this life-saving antibiotic, and we firmly believe it should be made accessible without delay. However, we must emphasise the importance of responsible and appropriate utilisation of these medications. A collective decision by a team of experienced doctors, including infectious diseases experts should be made mandatory before initiating their use. This will ensure that these powerful antibiotics are administered to patients who will benefit the most while minimising the risk of misuse or overuse.

We implore the authorities to recognise the urgent need for action and acknowledge the immense potential of these life-saving antibiotics. By granting EUA for cefepime/zidebactam, an Indian innovation, and cefiderocol, a globally recognised antibiotic, we can strengthen our arsenal against drug-resistant infections. Their inclusion in the EUA list would not only empower doctors but also instil a renewed sense of hope and confidence among patients and their families. As a nation known for its scientific achievements, we have the opportunity to make a substantial impact on the world stage.

Dr. Abdul Ghafur is Coordinator of the Chennai Declaration on Antimicrobial Resistance (AMR), and Consultant in Infectious Diseases, Apollo Hospital, Chennai

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AN INCOMPLETE REFORM: ON SIX YEARS OF THE GOODS AND SERVICES TAX

Relevant for: Indian Economy | Topic: Issues relating to Growth & Development - Public Finance, Taxation & Black Money incl. Government Budgeting

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July 05, 2023 12:20 am | Updated 12:34 am IST

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[India's tryst with the Goods and Services Tax \(GST\)](#), launched at a special midnight Parliament session with unusual fanfare, completed six years this month. Marking the occasion, [Finance Minister Nirmala Sitharaman emphasised](#) that the GST has moved the country towards a unified market from a situation where each State mandated different indirect tax structures and procedures, while inter-State borders were marked by bottlenecked check posts that added to logistics costs and subtracted from Indian goods' competitiveness. Introduced soon after the demonetisation shock, the GST was viewed as [another disruptor for the informal economy](#) and its initial technical, structural and procedural challenges took a while to sort out. That all businesses with annual turnover of 5 crore will have to generate e-invoices starting this August, and that there has been no ostensible pushback from smaller businesses over this, indicates that firms have gradually embraced the change. The Revenue Department's crackdown on fake invoicing and other techniques deployed by tax evaders may compel the few outliers to fall in line too.

Tightening compliance and the post-pandemic rebound in economic activity have helped improve revenues from the GST, which Ms. Sitharaman had suggested were underwhelming as of late 2021 when the Council set up a ministerial group to rationalise the unwieldy multiple rate structure and enhance tax inflows. This June, GST revenues crossed 1.6 lakh crore, only the fourth such occasion in its 72 months' existence, lifting the average collections in the first quarter of this year to nearly 1.7 lakh crore — a healthy 12% over last year's kitty. The recent revenue buoyancy, even if it may face a blip if consumption growth falters amid a slowing global economy, bodes well for States that were worried about their fiscal capacity after five years of assured revenues through GST compensation expired last July. For taxpayers and consumers, however, much remains to be done till the GST can be considered a Good, Simple Tax. GST Compensation cess levies have been extended till at least March 2026, instead of the initial five-year tenure, due to the transitory shock of COVID-19 lockdowns on revenues. Dispute resolution remains a pain point for industry, with GST appellate tribunals still not set up. There is no road map in sight on the rate rationalisation exercise or the inclusion of excluded items such as electricity, petroleum and real estate, without which the efficiency gains from the GST remain constricted. The GST Council needs to meet more often and turn its to-do list into a must-do list expeditiously.

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AN INCLUSIVE SOCIAL POLICY FOR MIGRANTS

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

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July 06, 2023 01:27 am | Updated 01:27 am IST

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Migrant workers write the Changathi literacy examination in Malayalam conducted by the Literacy Mission in Thrissur district. Photo: Special Arrangement

According to a recent estimate (Kerala Planning Board Report 2021), Kerala is an employment hub for 34 lakh inter-State migrant workers. Higher wages, regularity of work, and better social and cultural milieu compared to many other States are the key drivers influencing the workers to flow towards Kerala. Kerala has implemented a range of welfare, health, and literacy schemes for migrant workers. These policy initiatives sustain Kerala as a migrant-friendly state. Yet, systematic micro-level enquiries point to various shortcomings. Preliminary observations of the Science and Engineering Research Board (SERB 2022-25) study titled “Effect of Social Institution and Technological Interventions on Access to Healthcare Among Interstate Migrant Labourers in Kerala” conducted by the Mahatma Gandhi University reveal that the benefits entitled in these policies do not reach a majority of migrant workers. This article details the path towards an inclusive culture of policy-making, in the context of the discussions held at the International Labour Conclave on May 25, 2023, at Thiruvananthapuram, Kerala.

Migrant labour governance is facing organising trouble, broadly conceived as unity trouble. Unity trouble refers to the absence of a disaggregated assessment of the work and life situations of the migrant labour population. It is widely argued that the official name ‘guest worker’ is an ambiguous symbolic expression, uncritically reproduced by the media and even the research community. Critics argue that this expression fails to account for the nuanced aspects of rights denials. They also argue that current policies lack a comprehensive vision and strategy compared to the Interstate Migrant Workmen Act, 1979.

Strikes and protests by migrant labourers over the past three decades in Kerala point to the need for inclusive policy-making. It is crucial that policymakers address the core rights issues raised by the Uzhavoor strike (2012), which aimed to secure better wages and eliminate social inequality; the Athirampuzha strike (2023), which demanded equal pay for equal work; the Etumanoor strike (2023), targeting contractors who denied the rights of workers; the anti-exploitation strike (2016) against the forced collection of union fee in Kochi Metro; and the anti-wage theft strike (2022) against contractors who absconded without paying workers.

Also read | [Literacy project brings migrant workers closer to Malayalam](#)

Regrettably, the government mechanism failed to address the rights denials highlighted by these

strikes. In addition to wage-related issues, these workers are faced with unhygienic living and working conditions and a lack of social security. Physical abuse, as well as verbal and symbolic violences, are frequently reported too. Such situations beckon the need for the protection of the rights and dignity of the workers. The health and well-being of workers are constantly at risk due to exposure to hazardous substances and also by diseases and frequent accidents in their workplaces.

Another menace is the phenomenon of the chain of exploitation — a network of wage exploitation activities involving influential members of the migrant labour communities aiding and abetting wage exploitation and theft, which is similar to the infamous colonial indenture labour practices.

Migrant workers have been stripped of their citizenship rights and basic human rights, directly and otherwise, rendering them continually marginalised within society. This predicament aligns with the profound words of Hannah Arendt, who said that every individual deserves the inherent dignity of humanity.

In contemporary capitalist society, without social justice, a systematic disregard for rights emerges, creating disposable populations who are subject to exploitation, exclusion, or even elimination. Kerala can enhance its reputation as a space of inclusivity and sustenance by addressing the social justice concerns of migrant workers.

Observations of our extensive fieldwork and discussions with migrant workers of eight districts of Kerala, interactions with policy-makers, trade unionists and NGO activists, have laid bare the key aspects to formulate a rights-based and inclusive policy.

A set of recommendations to address the crucial task of upholding human rights need to be embraced in this context. They are, firstly, a shift from the usual numerical data collection approach to a thematic method to develop a panchayat-wise operatable/functional data bank of migrant workers. Second, it is necessary to ensure, that government decisions regarding the health, employment, cultural life, and social situation of migrant workers are firmly grounded in rights-based principles. Third, mechanisms must be established in collaboration with the origin State of labourers to enhance access to justice for migrant workers. Fourth, there must be promotion of awareness among migrants about their rights and the available legal remedies. Fifth, set up initiatives similar to global efforts to promote cultural exchange, community engagement, fostering mutual understanding etc. to implement inclusive policies for social integration of migrant workers into the local community. Sixth, multi-stakeholder policy and monitoring dialogues for ensuring migrant workers' rights and welfare must be fostered, and lastly, priority must be accorded to establishing a comprehensive vision for sustainable workers' human rights in tune with global instruments like Global Compact on Migration (GCM) for the migrant populations in Kerala.

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GUJARAT'S BRIDGES TO NOWHERE

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There was a social media storm when a newly constructed bridge on the Mindola river in Gujarat's Tapi district collapsed before its inauguration. [File](#) | [Photo Credit: ANI](#)

Once famous for its infrastructure such as sprawling highways and road networks connected to bridges and flyovers for seamless traffic movements, Gujarat in recent months has got bad press for the collapse of newly built bridges.

Recently, when the State was under a monsoon spell, the videos of cracks in a newly constructed bridge in Surat inaugurated by the Chief Minister, went viral on social media with netizens calling it the "real Gujarat Model."

"This is the result of institutionalised corruption in awarding infrastructure contracts in Gujarat," the Aam Aadmi Party said in a release, adding that the Surat bridge, built at a cost of 118 crore, started developing cracks within months.

Similarly, when the State was in the midst of the fury of cyclone Biparjoy last month, there was a social media storm when a newly constructed bridge on the Mindola river in the Tapi district collapsed before its inauguration.

After the incident, Gujarat Chief Minister Bhupendra Patel fired the local officials, suspended three engineers, and ordered a probe while blacklisting Akshay Construction, a Surat-based firm which was awarded the contract to build the bridge. "The prima facie probe suggests that low quality material was used in the construction of the bridge," the government statement said.

However, these are not isolated incidents. This is a growing pattern in the State, famed for its infrastructure development, where public infrastructure such as newly-constructed bridges or flyovers collapse within a few years of construction due to poor quality construction and workmanship and substandard materials used in building the infrastructure.

In April this year, the Ahmedabad Municipal Corporation (AMC) lodged an FIR against officials of Ajay Engineering Infrastructure Private Ltd. (AEIL) and project monitoring consultant SGS India Private Ltd., the two firms that were involved in the construction of the Hatkeshwar bridge that became unsafe for use in just four years after it was constructed at a cost of 44 crore. The bridge is now being demolished by the civic body. The police have arrested four directors of AEIL and two personnel of SGS India Pvt. Ltd.

In another such incident in Ahmedabad in December 2021, an under-construction bridge collapsed during a stress test, in the third such incident involving the company Ranjit Buildcon. A high-level committee looking into the matter produced a damning report about the quality of concrete and construction material used and workmanship.

Since 2016, more than a dozen such incidents have occurred, raising concerns about the quality of public infrastructure in the State and also indicating a nexus between contractors and officials and underlying corruption in awarding contracts for public works.

“This is the real Gujarat Model of BJP where there is 40% commission in awarding the contracts for public infrastructure projects,” Gujarat Congress spokesman Manish Doshi said.

A retired technocrat who worked with the State government said Gujarat once had a world-class quality control system for public infrastructure works but that in recent years the quality has deteriorated. “Corruption could be one factor but the main factor is the lack of quality control checks carried out by officials,” he said.

Lately, local contractors with political connections have thrived thanks to the vast resources that the State spends on building infrastructure assets.

As per the Budget presented in March this year, for the next year, spending towards urban development is estimated to increase by 19% to 12,639 crore, and about a third of the allocation is towards the Swarnim Jayanti Mukhymantri Shehri Vikas Yojana, a scheme to create basic public infrastructure in cities and towns.

In his Budget speech, the Finance Minister announced that the Gujarat government plans to spend around 5 lakh crore on the development of infrastructure facilities in the next five years.

He made an additional budgetary allocation of 550 crore for reconstruction and repairs or strengthening of old bridges after the disaster in Morbi where [a colonial-era hanging bridge collapsed](#) after repairs, [killing at least 141 people](#) last year.

(mahesh.langa@thehindu.co.in)

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SHOULD INTERNET SHUTDOWNS BE USED TO MAINTAIN PUBLIC ORDER?

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

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July 07, 2023 12:15 am | Updated 08:12 am IST

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People use their mobile phones after restoration of Internet in Srinagar. File | Photo Credit: The Hindu

Over the past few years, the Indian government has increasingly been trying to control law and order by shutting access to the Internet, whether in Jammu and Kashmir (J&K), Manipur or Punjab. Between 2016 and 2022, [60% of Internet shutdowns across the world](#) took place in India. Should shutdowns be used to maintain public order? **Radhika Jhalani** and **Karnika Seth** discuss the question in a conversation moderated by **Aroon Deep**. Edited excerpts:

India has more Internet shutdowns than any other country. Why do State and district administrations take recourse to Internet shutdowns, and why do they do this so often?

Radhika Jhalani: Since 2012, the number of shutdowns in India recorded by [The Internet Shutdowns Tracker](#) maintained by the Software Freedom Law Center stands at 738. There are many reasons why Internet shutdowns are imposed. For around 40-50% of them, the official reason is communal tensions. Some of them are imposed during protests, many to prevent cheating during exams, and many due to religious processions.

Editorial | [Overkill: On the Internet shutdown in Manipur](#)

Preventive shutdowns are imposed before an event takes place. For example, following the circulation of a video of a tailor getting beheaded in Udaipur (for supporting a BJP spokesperson who made controversial remarks on Prophet Mohammed), there was a shutdown in anticipation of a communal riot. A reactive shutdown is imposed after an event takes place and is generally the easiest way to control an escalating law and order situation.

Karnika Seth: There were almost 84 shutdowns in 2022 in India. While a lot of shutdowns are necessary to prevent communal tensions, civil war, or riots and situations of unrest, they need to be proportionate.

You said that restrictions have to be proportionate. The subtext is that there is some justification in trying to prevent the rapid spread of misinformation or provocative content during difficult times through shutdowns. How can the interests of people who are reliant on the Internet be

balanced with maintaining law and order?

Karnika Seth: Article 19 of the Constitution mentions freedom of speech and freedom to practise any profession. Article 21 protects the right to life and liberty, which also encompasses the right to education and the right to exercise one's freedom to access the Internet. The Supreme Court has held in various decisions, including in [Anuradha Bhasin](#) and [Faheema Shirin](#), that access to the Internet has to be preserved. Shutdowns should be exercised only in situations which require exceptional control and surveillance. The Court has said a shutdown needs to be temporary, limited in scope, lawful and proportionate. Article 92 says that reasonable restrictions ought to be imposed wherever necessary. The grounds include a threat to the nation, to national sovereignty, integrity and defence, or to avoid incitement to, or commission of, a cognisable offence.

Also read | [India leads world in cutting Internet access for 5th year in a row: report](#)

Radhika Jhalani: Proportionality means you cannot shut down the Internet to prevent cheating in exams. You can't solve societal problems by plucking the lowest-hanging fruit. I understand that the freedom of speech and expression is not an absolute right, but shutdowns cannot happen for frivolous reasons. Rajasthan cut off Internet before the REET (Rajasthan Eligibility Examination for Teachers) exam and West Bengal did the same before the Madhyamik Pariksha.

Dr. Seth, you had mentioned the *Anuradha Bhasin* judgment. Could you give us a picture of the judicially and legislatively imposed restrictions on when a shutdown can occur and when it cannot?

Karnika Seth: The Information Technology Act, 2000 maintains that threats to national sovereignty or integrity or defence call for website blocking. Accordingly, we have rules setting out safeguards for website blocking. Then there the [Temporary Suspension of Telecom Services \(Public Emergency or Public Safety\) Rules, 2017](#).

Comment | [Behind the great Indian Internet shutdown](#)

Shutdowns for preventing cheating in exams should not be a ground. Proportionality has to be looked into — whether a shutdown is necessary or not. These are pertinent questions for courts to decide. A balancing of the scales should be dexterously done, because situations can vary. A general protocol or benchmark may not work for a particular situation. That's why the Home Secretary has the power to decide on shutdowns and the review takes place in a committee. And any challenge is decided by the appropriate court. There needs to be more transparency and clarity on the protocols, and their interpretation, which can come clearly through case law as well.

Ms. Jhalani, do you think the protracted shutdown in J&K or the ongoing shutdown in Manipur conforms to these guidelines?

Radhika Jhalani: As a civil society organisation, we oppose shutdowns of all kinds, whether a social media blockade or a complete blockade, because a lot of these decisions are not made following due process. Nobody below the level of a Joint Secretary can impose a shutdown. But often, district magistrates end up imposing blanket shutdowns. To impose an Internet shutdown is to essentially curb a fundamental right. People can't work, access telemedicine, study, or even eat, since so many of our delivery services need the Internet and an OTP (one-time password). When there's so much at stake, you ought to be extremely careful while imposing an Internet shutdown. Rule 5 of the Temporary Suspension Rules says that a review committee has to be

formed within five working days (of issue of directions for suspension of services). Often, when you try to get orders to understand how the review committee is working and whether there are minutes of the meeting, these applications are denied. This means we don't know if the review committee met and if the shutdown is justified.

Also read | [Supreme Court refuses to intervene in Manipur Internet ban case](#)

According to the *Anuradha Bhasin* judgment, if you're cutting off somebody's Internet, you have to at least inform them. Often there is no public information about a shutdown. After this judgment, thankfully, shutdowns have only started occurring under the Suspension Rules as opposed to Section 144, which is a good thing, but there are a lot of guidelines that are not adhered to. For example, there are none or very few publications of shutdown orders in the public domain. In J&K, the government said in January 2020 that it would whitelist some websites and allow access to them through 2G. This was an impractical solution, because half the websites don't load on 2G. And if there are whitelisted websites, it's a problem. A bank's website could be whitelisted, but if you try to access your account information and that is hosted on a different domain, you cannot.

The Manipur High Court constituted a committee to look into the possibility of blocking VPN servers so that the Internet access can be restored safely while restrictions on social media websites are still maintained. This is not a feasible solution because VPNs provide access. In any case, social media is also an important part of the freedom of profession, and of the freedom of speech and expression.

What can a shutdown do to a people, especially when it is in place for a long time?

Karnika Seth: You have to protect people. Such a dire step (shutdown) needs to be taken only if it is really called for. I also understand, on the other hand, that there are certain services for which we heavily rely on the Internet. A lot of businesses and livelihoods depend on the Internet today. Therefore, there needs to be some solution for such situations. For example, there could be certain services to which we continue to have access if possible. Certain websites could be blocked instead of a complete shutdown. And healthcare or education services could remain accessible. VPNs could be blocked. People use VPNs freely today, and that also is a facet of your right to privacy. But in certain sectors, especially the government sector, there have been guidelines where VPN use is not allowed.

Comment | [The cost of Internet shutdowns](#)

Radhika Jhalani: The impact of shutdowns is under-studied. If we start reading about the impact of shutdowns, we would not impose them. Sometimes, people even lose out on scholarships or years of study due to shutdowns. We are a largely informal economy, so it's really hard to calculate the exact economic cost of a shutdown. But if we paid attention to the impact, we would look for alternatives to shutdowns. It's about time that we do.

Radhika Jhalani is Counsel with the Software Freedom Law Center in New Delhi; Karnika Seth is Founding Partner of Seth Associates and a cyberlawyer practising at the Supreme Court

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LIMITS OF EXPANSION: THE HINDU EDITORIAL ON THE CONTROVERSY OVER THE OPEN MARKET SALE SCHEME

Relevant for: Developmental Issues | Topic: Poverty & Hunger and related issues

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July 07, 2023 12:10 am | Updated 12:43 am IST

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The National Conference of Food Ministers [failed to resolve](#) the issue of the discontinuance of rice and wheat sales to States under the Open Market Sale Scheme (OMSS) in view of the Centre's restrictions. The meet was to discuss topics such as an action plan for the procurement of coarse grains and a strengthened focus on food and nutritional security. However, given the row in Karnataka over [the Centre's stringent restrictions on the OMSS](#), it was expected that there would be a solution. But the Centre was in no mood to oblige the States, which use the OMSS to cover a considerable portion of their foodgrain requirements. Apart from Karnataka, Tamil Nadu and Rajasthan asked that the restrictions be removed. Rejecting the plea, Union Food Minister Piyush Goyal reiterated the Centre's position of taking care of the interests of those outside the scope of the National Food Security Act (NFSA). Though it is indisputable that he has to look after the non-NFSA category of beneficiaries, the States' plea too considers the needs of sections of the non-NFSA population, as those covered under the Act get their entitlements under the Centre's monthly allocation of foodgrains. Besides, if States are forced to tap the open market, rice and wheat prices are bound to go up. This will defeat the Centre's objective behind restrictions on quantity sold through OMSS, i.e., keeping prices under control. Finding middle ground would have addressed everyone's concerns, at least partially.

The controversy over the OMSS should have sent out the message to States that it would not be wise to rely on the Centre or its agencies when it comes to implementing State schemes in the food sector. They must identify their own sources, and in a cost-effective manner. After the U-turn by the Food Corporation of India in providing additional foodgrains for the Anna Bhagya 2.0 programme, the Congress government in Karnataka could not find an equivalent supplier, cost being a key reason. States should introspect whether it is feasible to double the size of entitlements, as Karnataka had sought to, from 5 kg to 10 kg. Though Karnataka has found a way out — it will now transfer cash for the proposed additional quantity — the episode brings into focus its ill-planned attempt to replicate, in the area of food security, a scheme of the Union government, which has a bigger resource base. With Mr. Goyal sounding caution on the El Niño factor in foodgrain production and procurement, the Centre and the States should focus more on making the Public Distribution System foolproof than on expanding existing schemes.

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THE UNSEEMLY POLITICS OF THE UNIFORM CIVIL CODE

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

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July 12, 2023 12:15 am | Updated 10:08 am IST

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Prime Minister Narendra Modi has been pushing for a [Uniform Civil Code \(UCC\)](#) and is blaming the Opposition for trying to “instigate” Muslims on the issue. In 2017, the [Supreme Court struck down triple talaq as illegal](#). In a society that aims to be egalitarian, laws that are discriminatory to various sections of society have to be amended progressively.

Personal laws that cover marriage, divorce, succession, inheritance, adoption, alimony and maintenance are a pernicious legacy of the British Raj. The sooner they are done away with, the better it is for the people. As Law Minister, B.R. Ambedkar, supported by Prime Minister Jawaharlal Nehru, had recommended enacting a UCC, but favoured it being voluntary. He faced resistance for the idea. Since then, successive governments have failed to provide a UCC that is consistent with India’s commitment to being a democratic, secular and socialist Republic. They have succumbed to the vested interests of large sections of patriarchal Hindu society and of Muslim groups who want to follow Sharia law.

Today, it is ironical that the right wing Bharatiya Janata Party (BJP) is advocating a UCC, while the purportedly liberal, socialist, and secular Congress and Left are opposed to it. Many regional parties have opposed the idea, while some such as the Aam Aadmi Party and the Shiv Sena (Uddhav Balasaheb Thackeray) have maintained silence on it. [Muslim organisations are divided](#): while the All India Muslim Personal Law Board has criticised the proposal, the Jamaat-e-Islami Hind has said a UCC could affect all Indians.

All these parties are hypocritical. While the BJP hailed the Supreme Court’s triple talaq verdict, it opposed the Sabarimala judgment saying the Court cannot interfere with religious traditions. The Congress said there was no need for the Muslim Women (Protection of Rights on Marriage) Act, which criminalises triple talaq, as the practice had already been declared null and void by the court, whereas in 1986, Prime Minister Rajiv Gandhi got enacted the Muslim Women (Protection of Rights on Divorce) Act to nullify the Court’s Shah Bano ruling. During the discussions on Sabarimala, the Congress supported Hindu fundamentalists who wanted a ban on women’s entry into the temple.

The Supreme Court has made it clear that it is for Parliament to enact laws and related rules for implementing a UCC as mentioned in Article 44 of the Constitution, and urged the government in 2015 to do this. Though suggestions for a UCC have been brought up in Parliament in the past,

differences reportedly existed between the BJP and the RSS.

Once upon a time, Sati and child marriage were prevalent in India. Sati was abolished due to the efforts of reformers such as Raja Ram Mohan Roy. There are still cases of dowry and child marriage though these practices have no legal sanction.

Hindus do not have uniform customs and practices. There are myriad castes and sub-castes with their own beliefs and systems for marriage and remarriage for men and women. Even inheritance of property rights is not equally applied to men and women. In many parts of the country, a woman whose husband has died cannot remarry, while a man whose wife has died can. In some communities, he marries the unmarried sister of his late wife. Regressive practices such as “honour” killings and the horrific “love jihad” laws in some BJP-ruled States continue. Women bear the brunt of many of these practices. It is the same case among Muslims and their sub-sects, and other minority faiths. The Supreme Court order of 2014 [declaring that Muslim Shariat courts have no legal sanction](#) drew a sharp reaction from some Muslim clerics who tried to defend their right to practise their religion, including the issue of fatwas, under the constitutional guarantee of religious freedom. The case pertained to a woman who was raped by her father-in-law. Following the incident, the village panchayat passed a fatwa asking her to treat him as her husband. The Dar-ul-Uloom declared that she had become ineligible to live with her husband. This was endorsed by the All-India Muslim Personal Law Board. One of the bizarre arguments offered was that it was a punishment for the father-in-law to live and maintain the girl whom he had raped.

In mature democracies of the West, the law guarantees citizens the freedom to practise their own religion in their private lives, but a common civil and criminal code is applicable to all citizens and immigrants, irrespective of caste, creed, colour, or gender. The justice system and civil codes in all these countries evolved over 200 years. It should be no one’s case to foist the civil code applicable to Hindus on Muslims or other minorities. Khap panchayats are as detrimental to women and society’s progress as fatwas or Shariat courts. Every citizen must come under a common civil and penal code so that all are equal under the law. A nation must protect its women and give them total freedom and equal opportunities as men. The government would do well to take the initiative and distance itself from its own party hawks and associated hard-line outfits to depoliticise the issue, and under the guidance of the Supreme Court, take the best from the democratic world and the country’s own laws and pass a well-thought-out UCC in Parliament so that it becomes law in every State without exception. Only then will society be truly developed, modern and civilised.

Captain G.R. Gopinath is a soldier, farmer and founder of Air Deccan

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July 13, 2023 08:30 am | Updated 08:30 am IST

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For representative purposes. | Photo Credit: Getty Images

The story so far: The Union Cabinet has approved the introduction of the National Research Foundation (NRF) Bill in Parliament, placing once again the debate on science and technology funding in the spotlight.

Setting up the NRF was one of the key recommendations of the National Education Policy 2020.

The NRF intends to act as a coordinating agency between researchers, various government bodies and industry, thus bringing industry into the mainstream of research.

In addition to providing research grants to individuals, the NRF plans to seed, grow and facilitate research in India's universities, especially State universities, by funding research infrastructure and researchers.

The NRF will operate with a budget of 50,000 crore for five years, of which 28% (14,000 crore) will be the government's share, and the remaining 72% (36,000 crore) will come from the private sector. The NRF draft proposes the government's share to increase eventually to 20,000 crore per year. Out of the government's share, 4,000 crore will be used from the existing Science and Engineering Research Board's budget, which will be subsumed under the NRF. Therefore, the government has earmarked an additional 10,000 crore over the next five years for the NRF.

However, this increase in the nation's gross domestic expenditure on research and development (GERD) seems too meagre, (less than 2% of GERD) especially if one compares the GDP and the comparative spending in other big economies, such as the U.S. and China. As per the last available statistics (2017-18), India's GERD was 1,13,825 crore. While India's GDP was 7.6 and 5.1 times smaller than that of the U.S and China respectively, India's GERD was nearly 24 times less than both these countries during the same period. And in the last five years, that gap has further widened.

First, the time between applying for a research grant and receiving the money must be minimal, preferably within six months. Although the NRF draft mentions that the peer-review process will be completed within six months, releasing funds may take time, pending financial clearance. Second, all the paperwork must be digitally processed without sending stacks of papers in hard copies to the NRF. Third, all finance-related queries, paperwork, approval, and acceptance need to be between the NRF and the finance department of the university/research institution keeping

the scientist free to focus on research. Fourth, the NRF needs explicit spending guidelines away from the General Financial Rules (GFR) and the government's e-Marketplace (GeM) usage. Scientific research needs independent guidelines for spending money, which provides flexibility while making scientists accountable. Finally, the release of money needs to be timely. Although the NRF draft mentions timely disbursement of funds, a mechanism needs to be in place to facilitate and implement this.

While the participation of the private industry in the NRF is an important and welcome step, it is unclear how the government will raise 36,000 crore from the industry. Although the NRF describes a legislative route to facilitate this, a more detailed plan and establishing mechanisms akin to escrow accounts will reassure the scientific community.

The proposed NRF is largely modelled after the National Science Foundation of the U.S. It borrows some of the best practices from the German, U.K., Swiss, Norwegian, South Korean, and Singapore science agencies. Even if the NRF draft discusses critical thinking, creativity, and bringing innovation to the forefront, it is unclear how the NRF will transparently seed, fund and coordinate research across institutions. The success of NRF will lie in how the government sets rules and implements the same, different from what already exists.

The writer is a professor at JNU, New Delhi.

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SCIENTISTS NEED THE OXYGEN OF FREE SPEECH

Relevant for: Developmental Issues | Topic: Pressure Groups, Other Formal-Informal Associations and their role in the Polity

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July 14, 2023 12:08 am | Updated 01:58 am IST

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‘A key value in science is to challenge the arbitrary use of authority’ | Photo Credit: Getty Images

Last week, more than 500 scientists and academics wrote to the Indian institute of Science (IISc) criticising its administration for prohibiting a discussion on the Unlawful Activities Prevention Act. In response, the director of a different research institute, the Indian Institute of Science, Education and Research (IISER) at Mohali, Punjab, issued a show cause notice to two faculty members at his institute who had signed the letter to the IISc.

As a signatory of the letter, this writer would like to explain why it is important for scientific research institutions to encourage social and political discussions, rather than seeking to shut them down like the IISc and IISER administrations have done.

Scientific research institutes are part of the broader society; and so their members have the same constitutional right as others to participate in social discussions. Researchers at such institutions are offered the leisure and the training to pursue critical inquiry into a variety of subjects. This privilege, which relies on the public support that these institutions receive, means that they have an added responsibility to educate and express themselves on matters of public interests. For scientific researchers to fail to stand up for justice, especially at a time of great social turmoil, would be an abdication of this responsibility.

A narrow perspective might suggest that scientists should restrict themselves to science and stay away from social questions. However, it is artificial to erect intellectual silos around what is considered “science” and proscribe discussions outside those limits. For instance, an investigation of the science of climate change can naturally flow into complex geopolitical issues about colonialism and historical responsibility. This, in turn, leads to broader questions about inequality and justice. These issues are not peripheral to the subject but help to determine which scientific questions deserve focus. As another example, research on energy policy cannot be separated from environmental concerns or questions about the usage and equitable distribution of energy. Most recently, research on artificial intelligence has thrown up a host of ethical dilemmas.

Some scientific fields, such as quantum physics, are further separated from current affairs. But the generous public support for research in these areas — the recently announced “national quantum mission” involves an investment of 6,000 crore — arises from the expectation that this research, either directly or through spinoffs, will lead to public benefit. However, scientific and

technological advances do not automatically lead to social progress; they can also facilitate oppression or entrench inequality. So, it is important for scientists to involve themselves in decisions of how science is deployed, and not cede this ground entirely to capitalists or the government. Therefore, a broader political and historical perspective on scientific research is helpful even in pure science.

India has a rich and unique tradition of scientists who have engaged with social issues. Apart from prominent individuals such as the physicist, Meghnad Saha, the mathematician, D.D. Kosambi, and the chemist, Amulya Reddy, this tradition includes the peoples' science movements. The Kerala Sasthra Sahithya Parishad, whose slogan is "science for social revolution", has contributed enormously to spreading scientific values in the State. The All India Peoples Science Network has consistently advocated that science be used for social benefit rather than private profit.

To be clear it is possible for individual scientists to focus on narrow scientific topics and ignore larger questions. My argument is that scientific issues are often related to broader political issues, and that society has benefited from the participation of scientists in these discussions.

Given these facts, why are some scientific administrators uncomfortable when political discussions are hosted in their scientific institutions? The reason is not hard to find. Administrators worry that they might be seen as promoting views that are hostile to the government of the day and might incur its wrath. Often, they do not even wait for instructions from the government but proactively censor discussions deemed to be controversial.

This attitude predates the current government. However, it is no secret that the pressure to conform and the level of self-censorship has increased significantly under the current dispensation.

In some cases, such as IISER (Mohali), administrators invoke the Central Civil Service (Conduct) Rules that prohibit "criticism of ... the ... government". However, these rules are designed for government bureaucrats and are ill suited for academic scientists. Indeed, the Allahabad High Court held in 2015 that the CCS rules "have no application to a Central University".

Moreover, the Tripura High Court ruled in 2020 that even when the rules apply, they do not deprive citizens of their "right of free speech" which is "a fundamental right."

Unless this censorship is resisted robustly, academic freedom in scientific institutions is likely to come under further attack. A key value in science is to challenge the arbitrary use of authority. It is time for members of the Indian scientific community to put this value into practice in their own institutions.

Suvrat Raju is Professor of physics at the International Centre for Theoretical Sciences (ICTS) of the Tata Institute of Fundamental Research. The views expressed are personal

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A NEW DIARRHOEA-CAUSING PARASITE FOUND

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July 15, 2023 09:13 pm | Updated 09:13 pm IST

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More than half of amoebic infections in Kolkata were caused by *Entamoeba moshkovskii*. | Photo Credit: ASHOKE CHAKRABARTY

A three-year surveillance study from March 2017 to February 2020 in Kolkata has found an amoeba pathogen that previously did not cause any amoebiasis (a form of diarrhoea) in humans has now become pathogenic. Surprisingly, a team of researchers from the Kolkata-based National Institute of Cholera and Enteric Diseases (ICMR-NICED) found that not only had the amoeba pathogen — *Entamoeba moshkovskii* — turned pathogenic, it was the leading cause of amoebic infections in humans; more than half of the amoebic infections were caused by this pathogen. The researchers studied the stool samples of diarrheal patients admitted in two hospitals in Kolkata.

Of particular concern is the fact that infections caused by *E. histolytica*, which used to be the predominant amoeba pathogen that caused amoebiasis, were decreasing and the newly pathogenic *E. moshkovskii* was taking its place. The researchers identified a few mutations that signify an essential role of the new pathogenic parasite in adapting to the gut environment of humans or in acquiring other enteric pathogens.

The results of the study were published recently in the journal *PLOS Neglected Tropical Diseases*.

Diarrhoea can be caused by bacteria, viruses and amoeba pathogens. In the study, the team of researchers led by Dr. Sandipan Ganguly of NICED found nearly 5% of patients with diarrhoea were caused by different *Entamoeba* species and over 3% of patients were infected with *E. moshkovskii*. While there were no statistically significant differences between infections in males and females, *E. moshkovskii* infections were most predominant in children aged 5-12 years.

While infections caused by *E. histolytica* usually peaked during the wet season and gradually decreased with the arrival of the dry season, the seasonal pattern of *E. moshkovskii* infection in Kolkata was quite unique — there were two infection peaks coinciding with summer and post-fall season. During the over two-decade-long active surveillance study for the detection of common enteric parasites in and around Kolkata, the researchers found infections coming up during non-seasonal periods for *E. histolytica*. They also observed a significant proportion of cysts/trophozoites of amoeba in stool samples that have a similar morphological feature to *E. histolytica* throughout the year. When they carried out PCR-based molecular identification to identify the similar looking amoeba trophozoites, they found that the morphologically

indistinguishable amoeba from *E. histolytica* was indeed the related species *E. moshkovskii*.

According to the authors, another notable feature was that infection with the new pathogenic amoeba alone was statistically associated with diarrhoeal occurrence. “The diarrheal incidents associated with *E. moshkovskii* were not commonly coinfecting in Kolkata. These results indicate that *E. moshkovskii* may not simply be a commensal of the human gut; instead, it acts as a “potential” pathogen causing diarrhoea and other gastrointestinal disorders in the study area,” they write.

In most cases, amoebiasis is routinely diagnosed by light microscopy. However, light microscopy has limited sensitivity and specificity, and as a result, it becomes difficult to differentiate between the cyst and trophozoites of the pathogenic *E. histolytica* and *E. moshkovskii*. While trophozoites of *E. histolytica* are generally found in large numbers in stool samples, that is not the case with *E. moshkovskii*. So in order to identify the similar looking trophozoites and identify the pathogenic amoeba that was causing diarrhoea during off-seasons, the researchers turned to PCR-based molecular identification. This led to the identification of *E. moshkovskii* in over 50% of diarrhoea cases caused by amoebic parasites.

The team has so far not carried out drug-susceptibility tests for *E. moshkovskii*.

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ARCHITECTURE BEYOND THE NEW PARLIAMENT

Relevant for: Indian Polity | Topic: Parliament - structure, functioning, conduct of business, powers & privileges and issues arising out of these

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July 17, 2023 12:15 am | Updated 01:29 am IST

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The new Parliament building. File | Photo Credit: PTI

Architecture deserved to be at the centre of the recent [inauguration of the Parliament building](#). In many ways, the event was about the value of design and the ability of Indian architects to build enduring structures on time. The new Parliament building calls for public attention to the growing reputation, enhanced competence, and potential of the architecture profession in India. Even the contestations around the project are about the public consequences of the profession.

However, architecture cannot serve and flourish further only if it is utilised in occasional public buildings or in more monumental projects. As the profession's history shows, architecture can extensively attend to the people's growing needs. Harnessing this potential will depend substantially on state investment in design.

Over the last 100 years, the endeavour of a small group of trained architects with a few educational institutions has grown significantly. This is a result of serving public interests as much as private ones. Pre-independence, the challenge and urgency was to distinguish and define architectural services from other close professional claimants. Architects such as G.B. Mhatre in Mumbai and L.M. Chitale in Chennai demonstrated what the young profession could offer by building commendable structures from petrol stations, stadiums, and banks. Nation-building and extensive state support in independent India demanded the construction of many projects: new towns, industrial centres, housing and infrastructure. Architecture then efficiently filled everyday needs while simultaneously enabling the nation to function. Away from the overrated architectural axis of Delhi, Mumbai, and Ahmedabad, architects such as Chatterjee and Polk in Kolkata, J. C. Alexander in Thiruvananthapuram, and Chandavarakar and Thacker in Bengaluru made a case for good design to regional clients and state. Post-Emergency witnessed the urge to return to roots, producing gold and dross. If Uttam Jain's University buildings in Jodhpur were inspiring, Charles Correa's Jaipur museum was disappointing. The profession overgrew this problematic phase.

If the mainstream practice embraced concrete and cities, many architects, supported by able community leaders, explored alternative paths. They showed the relevance of using local materials, working with communities, housing the poor, and pursuing environmentally conscious practices. Cooperative refugee housing in Faridabad, rural institutions by architects trained under Laurie Baker, craft-based building rejuvenation by Parul Zaveri and Nimish Patel, and low-cost techniques mainstreamed by Revathi Kamath heralded sustainable practices.

Over the last two decades, a variety of practices has emerged, with about 70% spearheaded by young talents. Firms are geographically better spread, and architects are beginning to serve smaller towns. Buildings are speculative, critical, and, at the same time, pragmatic. A small but stunning brick vault school library in Kopargaon, near Shirdi; shelters built with care for elephants in Jaipur; the empathetic Ashwinikumar crematorium in Surat; village sports amenities in Adisaptagram in West Bengal, and other meaningful works are showing how good design in public service can enliven a place and enrich communities. Unfettered, many young Indian architects continue designing socially relevant buildings.

These accomplishments have raised expectations. However, how much more they can serve depends on bridging the gaps within the profession and, equally importantly, how well the profession's potential is harnessed in the public realm.

At the professional end, vanity projects abound. Servicing the unreasonable demands of the markets and the profession's complicity in it raises doubts about the architects' interests. Gender disparity within the profession questions the lack of sensitivity. Widening gaps between low academic standards and increasing professional and industry expectations raise concerns about the skills.

Architecture does not require radical inventions to correct and enhance its capabilities. In an essay in *The New Yorker*, surgeon-writer Atul Gawande points out that failures occur in professions that face uncertainties and complexities; however, what distinguishes a great profession from a mediocre one is not which one fails less but how quickly the profession rescues itself. A greater commitment is needed to design meaningful buildings, reinforce ethical orientation, make practice more inclusive, and upgrade competencies to build environmentally sensitive buildings and meet the challenges of technological disruption.

While these are within the profession's reach, what remains external to it is capitalising on the potential, particularly in public projects. Design's role in enhancing the quality of life and contribution to the economy is best realised in collective projects. Through its [Design 2025 Masterplan, Singapore](#) envisions using design as a key tool to strengthen the economy. Closer home, it is encouraging to see the Kerala government trying to create a 'design-based ecosystem' to build and preserve public assets.

While such ambitious plans could be a long-term goal, in the short term, the state could invest in the design and use of quality professional services by improving its procurement processes, creating credible selection methods, and lowering entry barriers for young talent to grow.

A. Srivathsan is a professor at CEPT University. Views are personal

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FLOOD FEUD: THE HINDU EDITORIAL ON LESSONS FROM THE FLOODS IN NORTH INDIA

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July 17, 2023 12:10 am | Updated 12:10 am IST

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The devastating floods across North India have renewed attention on the dynamic between climate change, urbanisation and the infrastructural lacunae that bedevil India's large cities. India is now right in the middle of the monsoon and it is only to be expected, given the topography of the hill States, that extended rains will cause landslips, landslides and pose extreme threats to life and property. Himachal Pradesh, Punjab, Haryana and Delhi are among the States that have reported record rainfall and at least 60 deaths have been confirmed though the actual toll may be higher. However, it is the inundation of Delhi, a city that is not usually associated with rains, that has brought to national focus the disasters that lie in store.

In the terminology of the India Meteorological Department, Delhi received 'excess' and 'large excess' rain on five out of eight days, from July 3-10. On July 9, it recorded 221.4 mm of rain, more than the 209.7 mm that is the average for all of July. While this contributed to the flooding, rainfall in the last few days has dramatically reduced. And yet, large parts of the city which include iconic landmarks such as the Red Fort and the Supreme Court, continue to be flooded. Delhi's officials have attributed this to the flooding of the Yamuna in upstream States, particularly at Yamunanagar in Haryana, with the barrages in Delhi unable to effectively regulate and redirect the river's flow. This however elides the role of Delhi's infrastructural development that through the years has given short shrift to restricting construction on the Yamuna's floodplains, failed to prioritise the desilting of drains ahead of the monsoon, and scrimped on steps to avoid the large-scale concretisation of the city. Though there is the case that even upstream of Delhi, riverbed mining has meant that huge amounts of silt from Haryana block the natural flow of the river, blame games and pointing to "record rains" are unhelpful. The increased probability of spells of extreme rain, given warming trends in the Arctic as well as the Arabian Sea, means that there will be several more instances of flooding in the future. While urban flooding is far more frequent in Bengaluru, Chennai and Mumbai, Delhi should no longer consider itself immune given that its population and infrastructural needs are only going to expand. Much like the National Capital Territory evolved a joint management strategy to tackle air pollution, on realising that clean air is interdependent on action by all cities, these States must set aside their differences and evolve a joint strategy on countering future floods.

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NEW ORDER: ON WIMBLEDON'S NEW CHAMPIONS

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July 18, 2023 12:10 am | Updated 12:10 am IST

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One of sport's eternal qualities is its uncanny knack of replenishing itself. The old gives way to the new and the past yields place to the future. Men's tennis though was resistant to this, where every new dawn — like Dominic Thiem's and Daniil Medvedev's US Open victories in 2020 and 2021 — ended up being a false hope. [Wimbledon 2023](#) however made the sport feel young again as 20-year-old Carlos [Alcaraz dethroned four-time defending champion and record 23-time Major winner Novak Djokovic](#) following a five-set thriller that lasted nearly five hours. The youngest since a 17-year-old Boris Becker secured the men's crown at SW19 in 1985, Alcaraz, the reigning US Open champion and World No.1, is only the sixth multiple Grand Slam titlist in the last two decades after Roger Federer, Rafael Nadal, Djokovic, Andy Murray and Stan Wawrinka. Just recently, the Spaniard had succumbed to Djokovic — 16 years his senior — in the French Open semifinals owing to stress-induced, full-body cramps. On Sunday, after he lost the first set and was a set-point down in the second, Alcaraz's odds nose-dived. The Serb had lost just six of 329 completed best-of-five-set contests in which he had won the first set and just one of 272 in which he had won the opening two. But Alcaraz turned it around with a nerveless display of audacious shot-making to usher in the new order.

There was however one tradition in the men's game that Alcaraz kept up. Ever since Federer won his first Major at Wimbledon 2003, prodigiously talented players have toppled the established rather than wait for a void to slip into. Nadal did that to Federer with his triumph at Wimbledon 2008, and Djokovic to both Nadal and Federer, across surfaces, for a good part of the last decade. Alcaraz has embarked on a similar path, to first fell his predecessors and carve out a niche for himself before supplanting them to become the next leader. The women's game has not quite lent itself to such immaculate succession plans, and in Marketa Vondrousova it had another first-time Slam winner. The crafty 24-year-old from the Czech Republic was up against the sentimental favourite in Tunisia's Ons Jabeur, who was gunning for her own maiden Slam crown after two failed attempts last year. But Vondrousova drew well from her experience of having played an equally talented but less flashy opponent in Ash Barty in the 2019 French Open final, to dismantle Jabeur, the World No.6, and become the first unseeded Wimbledon women's singles champion in the Open Era (from 1968) and the sixth different in as many editions.

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A COMMON CIVIL CODE SPELLING EQUALITY FOR EVERY INDIAN

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July 18, 2023 12:16 am | Updated 12:16 am IST

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'Complacently confining the discussion of India's personal laws within a Hindu-Muslim binary, leaves unrecognised the potential to empower a wide section of the population through their drastic overhaul' | Photo Credit: Getty Images/iStockphoto

The 22nd Law Commission has called for responses to a proposal for a Uniform Civil Code in India. This has set off a debate, which has often been acrimonious. But the debate itself is much needed as Indians have never been consulted on the personal laws they are governed by. These laws were instituted by the British colonial government by giving a cursory hearing to the clergy, or religious scholars in the case of religions without one. The result was a religion-based set of personal laws for Hindus, Muslims and Christians. Whether the colonisers did this out of a deep concern for the sentiments of the natives or it was intended as another instrument in a strategy of divide and rule in order to hold India is irrelevant, but we should note the provenance of India's personal laws.

Personal laws in India are boxed according to the religion or social origins of the citizen. However, it does not take much to see a fearful symmetry between them. This is their unmistakably patriarchal framing, whereby men are privileged at every turn. Thus, only a man can be the 'karta' or head of a Hindu Undivided Family, a divorced Muslim woman is not entitled to maintenance beyond a certain period, among some tribes of India, the custom is that women do not inherit ancestral property, and a Parsi woman who marries outside the community is excommunicated. So, from the point of view of women's empowerment, India's civil code is uniform already. As for the section of the population that we today refer to as the LGBT community, the British colonialists considered them mere flotsam and jetsam, to be ignored altogether. Not only did they not even merit a personal law but their actions deserved to be criminalised, even when they were consensual.

We can now see why we cannot consider ourselves to be a democracy so long as we continue with current approach to personal law. It is not because it is not the same for different religious groups but because their uniformly patriarchal core denies women equality before the law. Prime Minister Narendra Modi's widely reported query as to how one country can be run on two laws misses this. But so does the Opposition when it rushes to defend inaction on these personal laws on grounds of diversity, which they hold as sacrosanct.

The antiquity of India's customs and the diversity of its peoples are both brought up to make a case for tip-toeing around the existing personal laws despite their unequal rights for men and women. But is this a valid argument at all? India's caste system is antique alright, but India's lawmakers were wise enough to junk it in law very early on the history of independent India.

Next comes diversity. Opponents of reform seem to be unaware that they are extolling a diversity based on religion. Here it is worth recalling political scientist Pratap Bhanu Mehta's reminder that India was not conceived of as "a federation of religions". Similarly, during the deliberations of the Constituent Assembly, B.R. Ambedkar is said to have expressed surprise that religion was being given as much importance when choosing India's political arrangements. These observations have a bearing on what is being debated today. Whether India's civil code accords with the diktats of all religions is irrelevant. What matters is that it must be in accord with the democratic principles of liberty, equality and dignity. It is entirely possible to draft a civil code that preserves these ideals without any reference to religious practices. This would have the merit of being secular, in keeping with the defining character of India's constitution.

Self-appointed heads of religious groups have resisted calls for a common civil code by resorting to the argument that it infringes upon religious freedom. They fail to see that religious freedom means the freedom to adopt the faith of one's choice. In the domain of expression of faith, such as public worship, Indian courts have declared that it should conform to constitutional principles. In what may be considered one of the most significant social changes in India, restriction of temple entry to the avarna was discontinued almost a century ago. Much later, the Supreme Court of India struck down the practice of restricting women's entry to the Sabarimala temple.

These milestones point to an understanding of the right to religion as being confined to choice of one's faith and not to extra-constitutional expressions of it, such as the regulation of women's autonomy by men. This takes us to the question of the efficacy of legislation in advancing rights. For instance, when it comes to temple entry, we find instances of Dalits being denied entry even today. There are also recorded cases of bigamy among Hindus, in some regions greater than among Muslims. But the conclusion drawn from this that banning polygamy among Muslims is discriminatory is a non sequitur. The response to finding bigamy among Hindus hardly invalidates a call for ending the provision for polygamy among Muslims. The right response would be to prosecute those Hindus violating the law.

What is relevant here is not parity among men of different religious groups when it comes to marriage, it is the rights of women within every religious grouping. The demand that sections of the population, whether tribal or Muslim, are entitled to separate personal laws even when they are gender unjust fails to acknowledge that they are equal beneficiaries of India's democracy. Democracy guarantees them liberty and equality in all spheres of life, including access to the rule of law, freeing them from arbitrary governance. A reform of their personal laws to end gender discrimination, rendering them compatible with democracy, would be no more than to seek a balance between their rights and their responsibilities.

The obsession with parity among males across India's religion-based personal codes blanks out the issue of the rights of its LGBT community. No amount of reform of the Hindu, Muslim and Christian personal codes can reach them, for they have been rendered invisible by these colonial-era constructions. If there were to be a common civil code applicable to all Indians irrespective of faith, gender and sexual orientation, the LGBT population could be accommodated within it. In its absence, an alternative would have to be conceived of. Given the recognition implicitly granted to them with the reading down of Section 377 of the Indian Penal Code in 2018 and a highly visible hearing of a petition in the Supreme Court to allow same-sex marriage, which concluded only recently, the question of a personal law for this group can no longer be postponed.

To be credible, the current debate on personal law must include the LGBT, for the questions of civil partnership, inheritance and adoption are as relevant to them as to other Indians. Mundane acts such as opening a bank account or purchasing life insurance would make one aware of this. Complacently confining the discussion of India's personal laws within a Hindu-Muslim binary, leaves unrecognised the potential to empower a wide section of the population through their drastic overhaul. The combination of uniformly gender unjust personal laws and a disempowered LGBT population points to the advantage of having a universal civil code which encompasses all Indians. On Independence Day in 1947, Prime Minister Jawaharlal Nehru had, in a message to the nation, stated that the task before India was to "create social, economic and political institutions which will ensure justice and fullness of life to every man and woman". No social cleavage has been imagined in this vision. A universal civil code would be a step in that direction.

Pulapre Balakrishnan is an economist

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IN J&K, LAND IS AGAIN THE CENTRE OF DEBATE

Relevant for: Indian Polity | Topic: State Legislatures - structure, functioning, conduct of business, powers & privileges and issues arising out of these

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July 18, 2023 12:15 am | Updated 12:15 am IST

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Land and its ownership have been at the centre of a debate in Jammu and Kashmir (J&K) since August 5, 2019, when the Centre revoked the special status granted to the erstwhile State under Article 370 of the Constitution. The special status contained protective provisions for land, housing, and jobs for State Subjects (locals).

Over the last few weeks, the debate has become more intense with the Lieutenant Governor's administration introducing a slew of schemes for homeless and landless people, and migrant workers. Regional parties have expressed concern that these schemes will open doors for outsiders to settle in J&K.

A week ago, Lieutenant Governor Manoj Sinha announced a scheme to grant five marlas (252 square feet) of land to the landless population under the Pradhan Mantri Awas Yojana-Gramin (PMAY-G). Around 2,711 households have been designated as "landless" in the first phase. Besides this, the Union Ministry of Rural Development has set a target to grant 1.99 lakh houses to the homeless population in J&K by 2024.

Weeks earlier, Mr. Sinha had announced the Affordable Rental Housing Complexes (ARHC) scheme, which provides rental housing for Economically Weaker Sections (EWS) and Low-Income Groups (LIGs). The scheme covers urban migrants including labourers, street vendors and rickshaw pullers working in the Union Territory. Laying the eligibility criteria for this scheme, the J&K Housing Board said it would accept applications "from any citizen of India who migrated to Jammu from any part of India temporarily or permanently, for employment, education, long-term tourist visit, etc." It is likely that migrant workers and their children would become eligible for domicile in J&K with this scheme. They can apply for land and jobs if they have lived in the UT for 15 years or have studied for seven years or appeared in the Class X or Class XII examination, as per the new domicile laws passed after 2019.

Regional parties are also concerned about constant amendments to laws. J&K has recorded the highest number of amendments to land laws and re-allocations in the past four years. The administration amended the rules of the J&K Industrial Policy 2021-30, the J&K Industrial Land Allotment Policy 2021-30, and the J&K Private Industrial Estate Development Policy 2021-30 to make available 30,000 kanals (3,749.9 acres) for industries to woo outside investment. In 2021, amendments were made to land laws passed after 2019 to further liberalise the conversion of agricultural land for industrial purposes.

Even political parties which operate from the Jammu division, where the Bharatiya Janata Party (BJP) has significant support, have been critical of the latest moves. Various parties have pledged to oppose any move that seeks to provide land to outsiders. Peoples Democratic Party president Mehbooba Mufti quoted the Ministry of Housing and Urban Affairs which said that 19,045 people were homeless in J&K in 2021. She said that there was a glaring mismatch between the official figure for the homeless and the target to grant 1.99 lakh houses to the homeless. She said that the administration's intent seemed to be to "settle outsiders" and "import slums" to J&K. Omar Abdullah from the National Conference and Sajad Lone from the Peoples Conference warned the administration against accommodating people beyond 2019 and sought clarification on the eligibility criteria.

According to the Lieutenant Governor's administration, those residing on forest land, Rakhs, farmland and the Dachigam National Park, where construction is not allowed, will be provided land in the first phase. However, the administration remained silent on whether there would be evictions. It has also considered designating as landless those people who are occupying custodian land — pockets of land left behind by those who migrated from J&K to Pakistan or Pakistan-occupied Kashmir in 1947. Mr. Sinha has defended the PMAY-G saying it would enable the landless poor to own land and raise their standards of living.

However, faced with a public outcry, the administration hastened to clarify that only 2,711 landless families which were part of the 2018-19 Permanent Wait List of Homeless Persons of J&K (before the Centre ended special status) would be provided land under the scheme. The controversy reflects the growing chasm between the J&K political class and the BJP-ruled Centre.

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A BILL THAT FENCES IN THE RIGHT TO INFORMATION

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July 18, 2023 12:08 am | Updated 12:08 am IST

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'Citizens have taken to the RTI like a fish to water | Photo Credit: Getty Images/iStockphoto

The news that the Union Cabinet has approved the Digital Personal Data Protection Bill and will table it in the monsoon session of Parliament (July 20-August 11) raises certain issues. The draft Bill was placed in the public domain in December 2022 but the final Bill has not been placed before the public. Citizens are concerned that if two of its provisions are not changed, it may lead to a major regression for democracy.

The proposed Digital Personal Data Protection Bill has two provisions which would greatly weaken the Indian citizen's right to information. The Indian Right to Information (RTI) Act, effective since October 12, 2005, is one of the best transparency laws in the world, empowering citizens and is a practical recognition of their role as the rulers and owners of India. This is the outcome of people's struggles led by the Mazdoor Kisan Shakti Sangathan's fight starting in rural Rajasthan which culminated in the drafting of the law in 2004. There were intense discussions about its provisions and it took an all-party parliamentary committee to carefully craft its provisions. Its preamble elegantly states that democracy requires informed citizens and transparency in the affairs of their government so that they can hold it accountable and curb corruption. It harmonised the need for an efficient government while preserving the ideals of democracy.

Governments and those wielding the levers of power have been perturbed by this transfer of power to the ordinary citizen. Citizens have taken to the RTI like a fish to water. Despite public officials using various devices to deny citizens their legitimate right, many have used this democratic instrument to expose wrongdoing and corruption. The law recognises that the default mode is that each citizen has the right to access almost all the information with the government. Ten categories of information have been exempted from disclosure to prevent harm to certain interests and to ensure smooth working of the government. These are outlined in Section 8(1), with the 10 subsections from a to j.

The most widely misused exemption is Section 8(1)(j) which exempts personal information which is not a part of public activity, or which is an invasion on the privacy of an individual. It has a proviso which is an acid test to help anyone claiming exemption which states: 'Provided that the information, which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.' Thus, the law stated that personal information may be exempt if: it is not related to a public activity or interest, or would cause unwarranted invasion of the privacy of an

individual

To help an officer, an Information Commissioner or judge to arrive at the right decision, the special proviso was provided as an acid test. Whoever claimed that a disclosure was exempt under Section 8(1)(j) should make a statement that he would not give this information to Parliament.

Many refusals of information did not adhere to the law but refused information with a bland statement that since it was personal information, they would not give it. This was illegal but has been widely used to cover arbitrary, corrupt or illegal acts of government officials. Some examples are: the Department of Personnel and Training refusing “Total number of Annual Performance Appraisal reports (APAR) of IAS officers pending presently for over one year, two years, three years and four years” by claiming exemption under Section 8(1)(j); request for details of Member of the Legislative Assembly funds being denied saying it was personal information; details of the beneficiaries of the Prime Minister’s fund; bogus caste certificates, education certificates, ghost employees; gross arbitrariness and corruption in selections for jobs and non-conformance to rules and laws; disproportionate assets compared to declared income; verification of affidavits of elected representatives; unfair assessment of students and job seekers in government; disregard of corruption charges against officials that have been proven; file notings and minutes of meetings

However, many honest officers and commissioners often gave information if it was not covered by the exemption. Unfortunately, the proposed Data Protection Bill plans to amend RTI Act Section 8(1)(j) to read as exempting information under (j), which relates to personal information

If this amendment is made, all information which can be related to a person could be legally denied. Most information could be shown as being related to a person, and hence the law would become a Right to Deny for Public Information Officers (PIO) who do not wish to give out information. Incidentally, this proposal is a tacit admission that any current denial of information on the grounds of it being ‘personal information’ only, is illegal. Whenever a PIO wants to deny information, he will be able to link it to some person. The proposed Bill defines the term ‘person’ very widely to include individuals, companies, and the state. Most information except budgets would be linked to one of these. Thus, the RTI would become a Right to Deny Information, rendering it an ineffective tool.

In 18 years no harm has come to any national or personal interest because of RTI. Therefore, the proposed amendment would lead to a major regression for democracy.

Shailesh Gandhi is a former Central Information Commissioner

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FOR INDIA'S SCIENTISTS, ACADEMIC PUBLISHING HAS BECOME A DOUBLE-EDGED SWORD

Relevant for: Developmental Issues | Topic: Education and related issues

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July 19, 2023 08:30 am | Updated 08:30 am IST

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Representative photo of books in a library. | Photo Credit: Henry Be/Unsplash

As India restructures its science governance, with the recently approved [National Research Foundation](#), the national scientific enterprise can be a leading voice for accessible, equitable, and fiscally responsible research-publishing.

Communicating research is an integral part of the scientific endeavour. It advances scientific understanding and bridges science and society. One important way in which this happens in academic settings is through scholarly journals, which publish scientific papers.

Academic publishing starts with a scientist submitting a new set of findings to a journal. The journal assesses the manuscript by sending it out to experts for their comments, also known as 'peer review'; the experts offer these comments on a voluntary basis. The journal passes them on to the researchers, who may modify their manuscript accordingly.

The whole process takes a few weeks to several months. After the journal accepts a manuscript for publication, it is featured on the journal's website and/or is printed as a physical paper.

The process of academic publishing is designed to ensure scientists' studies are rigorous even as it makes validated research accessible to the wider community.

A scientist's research papers are relevant to their career advancement. University and institute ranking schemes also take note of the numerical metrics related to one's publications: the number of papers, the number of citations, the impact factor, the *h*-index, etc.

Driven by the academic demand for publications, academic publishing has emerged as a flourishing business. Commercial academic publishing is led by for-profit companies based mostly in the U.S. and Europe. In their traditional subscription model, libraries and institutes pay a fee to access published research.

This '*pay to read*' paradigm restricts access to scientific material, particularly in the Global South, where universities, colleges, and even research institutes are often unable to afford the subscription fees.

A subset of commercial publishers have adopted the open-access model, which ensures anyone can access published material. The green and diamond open-access models support self-archiving and no-cost publication, respectively, but few journals offer these options.

The gold open-access model, which allows immediate and long-term access to published work, and has been adopted by leading publishing companies, is the focus of this article.

Gold open-access journals charge the authors of the papers a fee called the 'article processing charge' (APC) to make the work freely available online. In this '*pay to publish*' paradigm, publishing companies receive scientific manuscripts and conduct peer-review at no cost, while charging the scientific enterprise a digital publication fee.

Academic publishing is today a lucrative industry, with a worldwide revenue of \$19 billion and wide profit margins, of up to 40%. The problem is that these are profits made from public money, funnelled into a few companies, while academic scientific research is considered, as a whole, to be a not-for-profit endeavour

In the U.S. and Europe, an initiative called Plan S requires research funded by public grants to be published in open-access journals, and the APCs are paid through allocations in grants to scientists or from the funds for institute libraries.

In India, scientific research is largely funded by government grants, with scientists across the country publishing more than 200,000 articles a year. While cost-based publishing models have flourished and the number of scientific articles from India in open-access journals has increased rapidly, India decided against adopting Plan S in 2019.

Open-access publishing, driven by companies and initiatives in the Global North, is a zero-sum game for scientists and the people at large in India.

For one, the costs imposed by gold open-access worsen the financial health of research in India. In 2023-2024, the Ministry of Science & Technology, which funds a large chunk of research in India, announced an allocation of Rs 16,361 crore for its three research-supporting departments – a 15% jump from the previous year

However, across the last five years, the allocations to the Ministry of Science & Technology have seen modest hikes (8-10% between 2019-2020 and 2020-2021, and 3-4% between 2021-2022), along with cuts in allocation (4% across 2021-2022 and 2022-2023). This together with pandemic-related changes in expenditure priorities and steady inflation has meant that India's expenditure on research has stagnated.

This is further reflected in India's Gross Expenditure in Research and Development (or GERD), which has stayed close to 0.66% of the GDP for several years – versus more than 3% for the U.S. and 2% for the E.U.

In a [June 22 tweet](#), the Department of Science and Technology hiked the emoluments for India's research scholars, the backbone of the country's scientific enterprise. Now, a senior PhD scholar is eligible to receive up to Rs 5 lakh a year to cover tuition, boarding, and living expenses (setting aside concerns about the disbursement being delayed by months or, in some cases, years).

But contrast this with the cost of publishing an open-access paper with *Nature Neuroscience*, which charges an APC of Rs 10 lakh. *The Journal of Neuroscience* is less expensive, charging Rs 5 lakh; other journals, such as *Molecular Biology of the Cell* and *eLife*, charge Rs 2.5-3 lakh.

So the current dominant publishing model, together with differences in research funding vis-a-vis the Global North, means scientists in India face twin challenges: doing cutting-edge research with fewer funds while diverting funds that could be used for research or human resources to ensure their papers are being seen by their peers in other countries.

For another, commercial research publishing also presents a moral problem. The costs of supporting open-access publishing are supported by public funds and prop up publishing companies' profits. This is antithetical to the premise of the scientific endeavour, to make humankind as a whole more knowledgeable.

For India, this means its citizens will have to pay to ensure access to scientific material for everyone – or contend with having large swathes of taxpayer-funded research inaccessible to them.

Journals of prestige often levy higher APCs than others, but even with country-based fee reductions, they do little to close the perceived 'excellence' gap between research that happens in the U.S. and Europe and that happening elsewhere.

Researchers seeking fee-waivers – to which some such journals say they are entitled – have also reported being embarrassed when having to provide evidence of lack of funds, and requests for waivers are also subject to a vetting process.

For these reasons, scientists are looking for a radical new way forward.

With the significant number of scientific papers published from India every year, the country's efforts to rethink academic publishing in line with the latter's purpose, as much as the country's strengths, could lead the world's way.

Previous approaches at rethinking academic publishing have included encouraging the country's scientists to publish in journals from India with relatively affordable open-access models. However, their limited readership and presence across the international scientific enterprise has meant for few takers.

Another approach that the government is considering is the '[One Nation, One Subscription](#)' programme. Its scheme will make scholarly publications accessible to higher education and research institutions in India at a fixed cost, but in doing so, it could increase the monopoly of commercial publishers.

A third possibility is making the shift from open-access publishing to *open* publishing. For example, India, via its newly minted National Research Foundation, could set up a freely accessible and high-quality online repository – where scientists could feature versions of manuscripts and engage with reviews from experts as well as the people at large.

This repository could host independent experts' comments and recommendations, as well as author responses, and be managed or facilitated for quality and visibility by a team of professionals. Researchers could respond and/or revise their findings over subsequent versions of the manuscript. Their work could be collectively and continuously questioned and evaluated by the scientific enterprise and citizens in India, both for immediate professional goals and larger national outcomes.

Executed well, this model could invite global participation, and pave the way away from numerical metrics of academic research evaluation.

Karishma Kaushik is the Executive Director of IndiaBioscience.

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AN ANACHRONISM: ON THE COMMONWEALTH GAMES

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July 19, 2023 12:10 am | Updated 09:15 am IST

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With less than three years to go, the decision of the Government of Victoria, [Australia, to withdraw from the hosting of the 2026 Commonwealth Games \(CWG\)](#) has come as a mighty blow to the sporting movement. After Birmingham replaced Durban for the 2022 edition, this is the second consecutive occasion when the original host city is unable to host the games due to financial issues. Victoria, which had uniquely proposed to organise the games over a region, had initially estimated a budget of AUS\$2.6 billion, but its Premier, Daniel Andrews, said the costs could go beyond AUS\$6 billion, which to him is too much for a 12-day sporting event. Without federal funding and with Victoria struggling due to its increasing debts, he said he could not take money out of hospitals and schools in order to fund the event. Even though the development has come as a huge embarrassment for Australia, which has hosted five CWG editions (including 2018 Gold Coast), Prime Minister Anthony Albanese looked forward to hosting the women's football World Cup and 2032 Brisbane Olympics, which would run on a different revenue model over a longer period of time. Still, the country may have to deal with credibility issues in the run-up to Brisbane 2032. According to the Commonwealth Games Federation (CGF), which was given only an eight hours notice, the decision to add more sports and changed plans for venues added considerable expenses.

Commonwealth Games Australia chief executive Craig Phillips said that the costs overrun was a gross exaggeration while Victoria's Leader of Opposition John Pesutto termed the cancellation 'a massive humiliation'. The development has put a question mark over the future of big-ticket multi-sport events because of the staggering financial burden involved with the hosting. While the hosts have been looking at ways of controlling cost escalation, the rising expenses have made the conduct of such games virtually a privilege for bigger economies. That only five countries have staged 18 out of 22 editions of the CWG, which began as the British Empire Games (1930), and no African nation has ever hosted the Olympics, point to this. The uncertainty surrounding the CWG will disappoint the Indian sportspersons, who have done well in these games, including in 2010 when Delhi hosted it. Thousands of athletes from 72 Commonwealth nations and territories will hope that the CGF succeeds in the onerous task of finding an alternative host. But questions will continue to be asked on the need for what many might consider an anachronistic event, a coming together of nations on the basis of shared colonial history, and not geography.

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NO NURSING COLLEGES IN 40% OF DISTRICTS: HEALTH MINISTRY

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 20, 2023 03:21 am | Updated 03:21 am IST - NEW DELHI

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The growth of nursing colleges also lags far behind the 81% growth rate of medical colleges.

File | Photo Credit: Sudhakara Jain

There are no nursing colleges in 40% of districts across India, according to Health Ministry data accessed by *The Hindu*. In fact, 42% of nursing institutions are clustered in five southern States, while three western States have 17%.

The Centre has attempted to correct such regional disparity with a scheme to establish 157 new nursing colleges co-located with medical colleges by April 2025, as well as providing short term training for nurses. However, it says that a number of States have failed to utilise such schemes properly.

Nursing services form the backbone of any medical establishment. India currently has close to 35 lakh nurses, but its nurse-to-population ratio is only 2.06:1000 against a global benchmark of 3:1000.

Although there has been a 36% growth in the number of institutions offering undergraduate nursing education since 2014-15, resulting in a 40% growth in nursing seats, there is a regional skew within these statistics. About 64% of the nursing workforce is currently trained in just eight States; 42% of nursing institutions are concentrated in Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, and Telangana, while 17% are in the western states of Rajasthan, Gujarat, and Maharashtra. Only 2% of nursing colleges are in the northeastern states.

The growth of nursing colleges also lags far behind the 81% growth rate of medical colleges, with the number of undergraduate and postgraduate medical seats surging at 110% and 114% respectively, since 2014-15.

According to the World Health Organisation (WHO), approximately 27 million men and women make up the global nursing and midwifery workforce, accounting for nearly 50% of the global health workforce. "There is a global shortage of health workers, in particular nurses and midwives, who represent more than 50% of the current shortage in health workers. The largest needs-based shortages of nurses and midwives are in Southeast Asia and Africa," according to a WHO report.

“Nurses play a critical role in health promotion, disease prevention and delivering primary and community care. They provide care in emergency settings and will be key to the achievement of universal health coverage. They are often the first to detect health emergencies and work on the front lines of disease prevention and the delivery of primary health care, including promotion, prevention, treatment, and rehabilitation,” WHO said.

To counter regional disparity, the Central government has announced a scheme to set up 157 new nursing colleges co-located with medical colleges in the next two years, with financial support of 10 crore per college. “To expedite this scheme, States would be required to send their proposals for establishing their nursing colleges and to constitute a state level monitoring committee to monitor the progress of the project for timely completion,” the Centre has advised, according to a Health Ministry report.

It has also expressed its concern about the poor uptake of its Development of Nursing Services scheme in some States. Short term trainings for nurses have been conducted under this scheme, with 18,600 nurses benefitting from 620 courses. The Centre noted that States such as Delhi, Kerala, Manipur, and Mizoram have benefitted from this training scheme, but Uttar Pradesh, Karnataka, and Telangana have under-utilised this scheme.

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ONLINE ABUSE AMONG COLLEGE STUDENTS

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July 20, 2023 02:29 am | Updated 02:30 am IST

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Technology-facilitated sexual violence can take many forms, such as morphed images, sexualised blackmailing and bullying, digital flashing, rape threats, and explicit comments and messages. | Photo Credit: The Hindu

When Anushka, a 19-year-old college student, found “morphed” nude images of herself online, she became suicidal. A former boyfriend pasted her face onto the naked bodies of other women, creating images of what appeared to be Anushka herself. The images, sent to her college WhatsApp group and posted online, were found by her parents the same day. Anushka’s story is just one among the countless instances of technology-facilitated sexual violence (TFSV), a growing problem affecting college students across India.

My research on TFSV revealed that online abuse disproportionately affected young women. I surveyed 400 students from 111 Indian higher education institutions and found that a staggering 60% of women experienced some form of TFSV compared to only 8% of men.

Also read | [Online offenders up their game to spread child abuse material](#)

TFSV can take many forms, such as morphed nude images, sexualised blackmailing and bullying, digital flashing, rape threats, and explicit comments and messages. It pervades every social media and messaging platform, but Instagram, Facebook and WhatsApp are the ones especially culpable.

Abuse is linked to an individual’s name and online profile, and can remain on the Internet forever. Many survivors experience depression, post-traumatic stress disorder, anxiety, and suicidal thoughts. There are tangible consequences to online abuse too such as a loss of academic or career prospects, social isolation, and violence and ostracisation by one’s own family. Meanwhile, abusers hide behind anonymity.

Where can the survivors turn for help? India’s IT Act of 2000 criminalises some forms of TFSV, but ambiguities in the law can deter survivors from reporting. Although the law has coaxed some safety improvements, technology giants such as Meta are unmotivated to overhaul their safety features beyond the bare minimum. India has the most Facebook users in the world, yet Meta has not optimised its platforms for an Indian context.

For example, Meta’s safety moderation algorithms are trained mostly in American English, so

abusive content in Indian languages is less likely to be detected. With the upcoming Digital India Act, the government has an opportunity to strengthen its regulations for technology platforms and compel social media companies to take accountability.

Institutions of higher education (IHEs) are another crucial intervention point for online harassment of students. The guidelines for prevention and redressal are comprehensive, yet the legally-mandated mechanisms often go unused, if they exist at all. IHEs must have Internal Complaints Committees (ICCs) to investigate incidents of sexual harassment, but many institutions struggle to form, train, and manage these committees. Even if an ICC finds a student guilty of sexual harassment, there is no guarantee that higher authorities will hold them accountable.

Unsurprisingly, students reported low awareness and utilisation of ICCs in their academic institutions. Of the students surveyed, 44% were unsure whether they could report online sexual harassment to their college at all. Not a single survivor chose to formally report the incident.

Students were extremely clear about how to address TFSV at their institutions. They proposed that their schools provide anonymous helplines and reporting options, mental health services from trained counsellors, and grassroots solutions like hosting regular workshops, safety training, facilitated discussions, and designating student organisations to lead education and response efforts. Legal regulations already mandate that IHEs conduct gender sensitisation programmes and empower students to engage their community. The missing piece is the implementation of these measures while the allocation of funds and prioritisation of these solutions is also imperative.

TFSV demands our immediate attention as it magnifies existing social inequalities. In my research, I found that only 22% of women surveyed felt safe online compared to 73% of men. Accessing the Internet, which is increasingly becoming a basic human need, is obstructed by TFSV— the replication of a patriarchal system that disempowers women. Widespread violence on the Internet has serious implications for women's role in society. The ability to safely access the Internet is crucial to women's agency, mobility, and economic development.

Addressing the problem of TFSV means focusing on the needs of survivors who are the most affected. Survivors said that aside from gender, factors such as caste, religion, sexual orientation, class, and region heightened their vulnerability online. Further research on how TFSV impacts other marginalised identities is crucial to solving the issue.

What can we do to make a difference? In addition to advocating for the proposed solutions, openly discussing TFSV without shaming or blaming survivors is another essential step — part of an ongoing movement to improve India's levels of sexual violence, from harassment to rape. Survivors overwhelmingly stated that stigmatisation and trivialisation of their experiences were a significant part of the problem. As our world becomes increasingly digital, the issue of TFSV grows more urgent by the day. Raising widespread awareness of TFSV and implementing solutions is vital while the problem is still within our control.

If you have been affected by TFSV and need help, call the TechSakhi helpline (080 4568 5001), email help@SocialMediaMatters.in, or visit www.bloom.chayn.co

Anjali Rangaswami is a Fulbright scholar and cyber harassment expert

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INDIA EASES COVID-19 GUIDELINES FOR INTERNATIONAL TRAVELLERS

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July 20, 2023 01:01 am | Updated 01:03 am IST - New Delhi

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The new guidelines come into effect from July 20, 2023 midnight. File | Photo Credit: The Hindu

The Union Health Ministry has further eased COVID-19 guidelines for international visitors, dropping the earlier requirement for RT-PCR-based testing of a random two percent subset of international travellers.

The guidelines have been eased after taking note of the prevalent Coronavirus situation and the significant achievements made in the vaccination coverage across the globe. The new guidelines shall come into effect from midnight of July 20.

However, the earlier advice for precautionary measures to be followed by airlines as well as international travellers in context of Covid shall continue to apply, the Ministry said.

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THE MISSING NUMBERS: THE HINDU EDITORIAL ON THE CURRENT VACUUM OF OFFICIAL DATA

Relevant for: Developmental Issues | Topic: Government policies & interventions for development in various Sectors and issues arising out of their design & implementation incl. Housing

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July 20, 2023 12:10 am | Updated 12:40 am IST

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The Ministry of Statistics and Programme Implementation has [formed a new Standing Committee on Statistics \(SCoS\)](#) to advise on official data, including the household surveys carried out by the National Sample Survey Office (NSSO). Headed by India's first Chief Statistician, Pronab Sen, the SCoS replaces a similar panel set up in December 2019 to advise on economic statistics. While Mr. Sen also headed the incumbent panel, the SCoS formed now has a broader mandate to help design surveys for all types of data, identify data gaps that must be plugged, and conduct pilot surveys for new data sets. With 14 members, the new panel is also leaner and more likely to deliver quality guidance. The 28-member economic data review panel may have found it tougher to establish a coherent consensus. One of the new panel's first tasks will likely pertain to the results of the Household Consumption Expenditure Survey (HCES) by the NSSO over the past year, and it must sensitise users on the methods deployed and interpretational nuances they necessitate.

The HCES is critical not only to ascertain people's living standards over time but also the key to revising economic indicators such as the Consumer Price Index and the Gross Domestic Product used to measure the economy's output. The last survey, with another quinquennial employment survey, was conducted in 2017-18, but the government had opted to junk the findings in November 2019, citing data quality issues. Then, top government mandarins sought to discredit the official statistical machinery's methods to dispute reports that the NSSO's consumption and employment surveys reflected elevated economic distress in households. Now, members of the Economic Advisory Council to the Prime Minister have revived such critiques, perhaps as a pre-emptive move to deflect from any adverse outcomes that the latest HCES may throw up. That is, if its results are published. Data from the 2017-18 Survey released by Maharashtra indicates that households' spending power and access to amenities had improved since 2011-12, despite the demonetisation shock, although inequality widened on some fronts. So, that data was not all bad news after all. Whether data is fit for release should be left to the independent National Statistical Commission that was reconstituted late last year but is still marred by vacancies. Simply destroying the credibility of one's own systems may achieve short-term obfuscation goals, but it also leaves one clutching at straws to prove governance outcomes. The SCoS can pro-actively try to bridge the trust deficit between India's once-revered statistical system and data users, which has led to the current vacuum of official data. The end result of such a vacuum is that government policy neither acknowledges nor addresses some ground realities that warrant intervention.

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NO QUICK FIX: THE HINDU EDITORIAL ON NATIONAL RESEARCH FOUNDATION BILL

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July 21, 2023 12:10 am | Updated 12:10 am IST

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Among the most important pieces of legislation slated to be tabled in the current monsoon session of Parliament is [the National Research Foundation \(NRF\) Bill, 2023](#). While a draft is not in the public domain, it envisages [a new, centralised body to fund research](#), with a budget of 50,000 crore, over the next five years. The NRF draws on models such as the United States's National Science Foundation whose nearly \$8 billion budget is the major source of funding for college and university research, and the European Research Council, which funds basic and applied research. However, the NRF's plan, going by public statements of administrators, is to draw the bulk of its budget — 36,000 crore — from the private sector. For many years, India's spending on research has lagged between 0.6%-0.8% of GDP, or lower than the 1%-2% spent by countries with an economic base reliant on science and technology. In countries such as China, the U.S. and Israel, the private sector contributed nearly 70% of the research expenditure whereas in India, this was only about 36% of India's total research expenditure — roughly 1.2 lakh crore — in 2019-20. Therefore, the Centre reasons, the way to galvanise university research in India would be to attract more private money. While that is a reasonable expectation, it is unclear how such a proposal can be executed. One of the suggestions is to have the funds private companies allot, as part of their annual corporate social responsibility (CSR) obligations, [directed to the NRF](#). Data from the Ministry of Corporate Affairs show that during FY-2022, companies spent 14,588 crore as part of their CSR obligations. CSR trends suggest that nearly 70% of such funds were spent in education, health care, and sanitation projects. Moreover, many of the companies spend this on initiatives that are located within their own communities, with the government not having a say on how this must be spent. Whether the government can force, or offer tax benefits, to coax some of these funds into the NRF remains to be seen.

The relatively greater contribution of private sector research in many countries is because of sustained government support to universities and research institutions, that have then encouraged individuals to build companies, and institutions that saw value in investing in research and development. The challenge in India is not the absence of such companies but the fact that there are too few of them. Organisations such as the NRF should work to create conditions which incentivise the development of private sector organisations that see value in invention and developing proprietary technology. Philanthropy is unlikely to be the panacea.

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SUDDEN DEATHS OF YOUTH HAVE BEEN REPORTED AFTER COVID-19: HEALTH MINISTRY IN LOK SABHA

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 21, 2023 08:04 pm | Updated July 22, 2023 03:39 am IST - NEW DELHI

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Sudden death of some youth after COVID-19 have been reported but at present there is no sufficient evidence to confirm the cause of such deaths, said the Health Ministry in Lok Sabha on Friday adding that to ascertain the facts regarding the apprehension of rising cases of cardiac arrest after the pandemic, the Indian Council of Medical Research (ICMR) is conducting three different studies.

Responding to question by members Ravindra Kushwaha and Khagen Murmu, the Ministry in its statement said that the ICMR was studying factors associated with sudden deaths among adults aged 18- 45 years, effect of COVID-19 vaccine on thrombotic events in this population and establishing the cause in sudden unexplained death in the young through virtual and physical autopsy.

Also Read | [Data | The 17th Lok Sabha is likely to be the shortest since 1952: PRS Legislative Research](#)

It added that to address the health issues related to cardiovascular disease, the Health Department also provided technical and financial support to the States/Union Territories under the National Programme for Prevention and Control of Non-Communicable Diseases (NPNCD).

“Cardiovascular disease is an integral part of NPNCD and the programme includes strengthening infrastructure, human resource development, health promotion, population-based screening of 30 years and above population under Ayushman Bharat Health Wellness Centre and early diagnosis and management etc,” said the Ministry. Under NPNCD, 724 District NCD Clinics, 210 District Cardiac Care Units, 326 District Day Care Centres and 6,110 Community Health Centre NCD Clinics had been set up, it added.

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THE CASE FOR INDIA SWITCHING FROM THE ORAL TO THE INACTIVATED POLIO VACCINE

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 23, 2023 08:59 am | Updated 08:59 am IST

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Pulse polio drops being administered to a child in a government women and children's hospital in Palakkad. | Photo Credit: Mustafah K.K./The Hindu

This article is a response to 'The case for the oral polio vaccine in the world's quest for eradication', [July 21, 2023](#), by Vipin M. Vashishtha and Puneet Kumar.

In 2022, after more than a decade of remaining polio-free, the U.S., the U.K, Israel and Canada reported type 2 vaccine-derived poliovirus in environmental samples. The U.S. (Rockland County in New York) also reported one case of polio in a young adult caused by type 2 vaccine-derived poliovirus (VDPV) in July 2022.

What caused the type 2 VDPV case to emerge in the U.S.?

Vaccine coverage

Vaccine coverage with three routine doses of inactivated polio vaccine (IPV) in the U.S. [was 92%](#) in 2021. However, vaccine coverage in Rockland County in New York, where the young adult was infected by poliovirus and developed flaccid lower limb weakness, was very low — 60.3% in August 2022, and the zip code-specific coverage was as low as 37.3% — according to an [August 2022 report](#) in the *Morbidity and Mortality Weekly Report* (MMWR). Most importantly, the young adult who got polio was unvaccinated.

In March 2022, a three-year-old child in Jerusalem city, Israel [developed polio](#) due to type 3 VDPV. Like the young adult in New York, the child in Jerusalem city was not vaccinated. The type 3 VDPV virus was detected in six more children who were asymptomatic. "Of these seven children, one had incomplete polio immunisation while the other six were unvaccinated," says a [WHO report](#).

No matter the polio status of a country and which vaccine is being used, as long as wild poliovirus is present and any country continues to use the oral polio vaccine (OPV), the risk of polio emergence, including in polio-free countries, is real in a globalised village especially when vaccine coverage is low. While increasing vaccination coverage nationally and at a community level will help prevent children from getting polio disease, complete eradication from the world will become possible only when wild polioviruses are wiped out and the use of OPV is stopped.

Type 2 poliovirus has been responsible for over 95% of VDPV cases, and since 1999, when wild poliovirus type 2 was eradicated, all polio cases caused by type 2 virus have been either due to VDPV or vaccine-associated paralytic poliomyelitis (VAPP). Since the global switch from trivalent (containing types 1, 2, and 3) to bivalent (containing types 1 and 3) OPV in 2016, no child in India has been vaccine-protected with OPV against type 2 virus. All the protection has come only from IPV, which contains types 1, 2 and 3. Yet not a single type 2 VDPV case in India has been reported since 2016. This further demonstrates why India can safely switch to exclusive-IPV immunisation at the earliest.

Since wild and VDPV cases are still reported in Pakistan and Afghanistan, the compulsion to maintain a very high polio vaccine coverage in India cannot be overemphasised. Also, India has remained polio-free since January 2011 even as wild poliovirus and VDPV cases have been reported in Pakistan and Afghanistan, thanks to high polio vaccine coverage here. Any individual travelling to India from a polio-endemic country is required to get immunised with a dose of OPV prior to travel, to reduce the risk of spreading the virus here.

The need to maintain high polio vaccine coverage in India arises even without considering the risk of imported cases, as continued use of bivalent OPV in India carries the risk of type 1 and type 3 VDPV and VAPP cases emerging. VDPV cases can emerge only when enough people are not vaccinated against polio.

Decreasing VAPP incidence

Despite wild type 2 poliovirus being non-existent and not used in oral vaccines, type 2 VDPV has caused many cases each year even after the global switch to bivalent OPV in 2016. Nearly 40% of vaccine-associated paralytic poliomyelitis (VAPP) are caused by type 2 oral polio vaccine. Almost all VDPV and VAPP cases have been reported in the last two decades are from countries that continue using oral polio vaccine. In contrast, countries that switched to inactivated polio vaccine have remained polio-free (both VDPV and VAPP), except in 2022.

Many developed countries discontinued OPV use and switched over to IPV a few decades ago. The U.S., for example, moved to IPV in a sequential manner in 1997 where both IPV and OPV vaccines were used. The rationale: “This strategy was intended to decrease the incidence of VAPP while maintaining high levels of population immunity to polioviruses to prevent poliomyelitis outbreaks should wild poliovirus be reintroduced to the U.S.,” as per a January 1997 [MMWR report](#). The risk associated with VAPP if OPV was used was estimated to be [30-40 cases](#) during 1997-2000 (an average of 8-10 VAPP cases per year) in the U.S., while the sequential vaccination schedule was expected to reduce VAPP cases by at least half.

In addition to the risk of causing VDPV and VAPP, the OPV in India, contrary to popular notion, was found to have [low seroconversion rates](#) for types 1 and 3 — about 65% — and 96% for type 2. Low vaccine efficacy resulted in “increasing numbers of vaccine-failure polio as trivalent OPV coverage increased in India”.

Seroconversion after each additional dose was at the same frequency as after the first dose, [notes a 2016 paper](#) published in *Indian Pediatrics*. Children in India, even after receiving half-a-dozen doses, were still at risk of getting infected by poliovirus. As many as 10 doses of OPV vaccine were required to attain a three-dose vaccine efficacy seen in other countries. Wild poliovirus transmission was interrupted in most parts of India only when an average of eight-nine OPV doses were given to a child.

Seroconversion

Compared with poliovirus-naïve children, those infected with wild poliovirus shed the least amount of virus and for a shorter duration when challenged with OPV. Children vaccinated with OPV and then challenged with OPV shed a lesser amount of virus and for a shorter duration than those given IPV and challenged with OPV.

According to virologist Dr. Jacob John, virus shedding goes on beyond 24 hours and continues for a few weeks even in children initially given OPV and then challenged. “This clearly demonstrates that mucosal immunity is not absolute in the case of OPV,” he says. “Virus shedding in the stools does not automatically translate into transmission.”

The ease of administering OPV is often cited as a reason for continuing the use of OPV. But due to shortage of IPV, countries were encouraged to opt for a fractional dose of IPV vaccine administered intradermally prior to the global switch. India has been using a fractional dose (0.1 ml) of IPV vaccine administered intradermally at 6 and 14 weeks since 2016. Administering an intradermal vaccine is more challenging than an intramuscular dose. Yet India has been successfully immunising millions of children each year with fractional IPV doses. [Since January 2023](#), a third fractional dose of IPV at 9-12 months has been included in the national immunisation programme.

A [trial conducted](#) in India found that two fractional doses of IPV administered intradermally at six and 14 weeks followed by bivalent OPV at birth, and age six, 10, and 14 weeks is effective and provides over 95% seroconversion against poliovirus types 1 and 3 and over 85% seroconversion against type 2 poliovirus.

Manufacturing OPV is indeed easy and such vaccines are also cheap. Traditionally, IPV was manufactured using wild polioviruses. But IPV can be manufactured using the attenuated viruses (Sabin IPV). Bharat Biotech, which has a BSL-3 manufacturing facility, was at an early stage of manufacturing Sabin IPV vaccines in 2020 when the pandemic struck and the manufacturing facility was instead used to produce Covaxin. When Bharat Biotech is licensed to manufacture Sabin IPV, India will no longer need to rely on other countries for vaccine supply.

Ground to switch

The addition of a [third fractional dose](#) of IPV at 9-12 months in the national immunisation programme will further boost the protection against all three types of polioviruses, both wild and VDPV. Considering that India has not reported any case of wild poliovirus or VDPV since it was certified polio-free and even when other countries reported VDPV cases during the pandemic, India can plan to make a switch from OPV to IPV once the vaccine coverage reaches over 85% across the country with the revised immunisation schedule of IPV at nine months.

In an [April 2020 report](#), WHO’s Strategic Advisory Group of Experts on Immunization (SAGE) wanted countries planning to move from bivalent OPV to IPV-only immunisation schedule to exercise caution and recommended that these countries should instead take a “gradual approach, first introducing a second dose of IPV into routine immunisation”. Seroconversion after two fractional doses of IPV given at six and 14 weeks in Indian children was already 95% against poliovirus type 1 and type 3 and over 85% against type 2 poliovirus. The additional fractional dose of IPV given intradermally at 9-12 months is expected to boost the seroconversion, particularly for type 2, which is currently only over 85%.

Like the U.S. in 1997, India has made ground to switch over to exclusive IPV in a sequential manner since 2016 with the introduction of two fractional doses of IPV. The addition of a third fractional dose at 9-12 months is in line with this sequential switch and the recommendation by SAGE. The move to exclusive use of IPV for polio immunisation in India can begin once we

have the evidence for very high seroconversion for all three types of polioviruses.

All countries that have made a switch from OPV to IPV have only considered the last instance of wild poliovirus and VDPV cases within their borders. India too should adopt such an approach and after evidence of very high seroconversion after three fractional doses of IPV and once high vaccine coverage has been achieved using three fractional IPV doses.

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TAKING HEALTHCARE TO THE PEOPLE

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July 23, 2023 12:38 am | Updated 12:56 am IST

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Makkalai Thedi Maruthuvam has helped improve accessibility to healthcare services for many and in early detection of diabetes and hypertension. | Photo Credit: B. Jothi Ramalingam

A path-breaking massive surveillance and intervention project, the Tamil Nadu government's *Makkalai Thedi Maruthuvam* (MTM) is definitely an example of how a welfare state would take care of the health requirements of its people. No doubt, the scheme has made an impact, especially among patients of the rapidly growing non-communicable diseases (NCDs). Improving accessibility to healthcare services for many, early detection of diabetes and hypertension, and reduction in out-of-pocket expenditure are among its successes. But, as all massive, population-based projects go, there are some gaps and shortfalls, starting with human resources, accuracy of data and equipment, drug delivery, and a larger need to evaluate the outcomes so far, especially the hypertension and diabetes-control rates.

Taking home-based screening and drug delivery to the doorstep of beneficiaries is no small exercise. MTM, which will complete two years in August, is a massive programme involving lakhs of beneficiaries and a nearly 20,000-strong workforce. The scheme was recently profiled by the World Health Organization (WHO) for its outreach. As of July 20, official data show around 5.50 crore individuals were screened — 1,00,55,514 first-time beneficiaries and 3,20,53,880 repeat-service beneficiaries — though it is reliably learnt that the actual line-list would be lesser.

So what brought up the need for such a large-scale initiative? A survey in 2020 — the WHO's STEP-wise approach to NCD risk factor surveillance — put the prevalence of hypertension and diabetes mellitus among the adult population of Tamil Nadu at 33.9% and 17.6% respectively. The findings of the survey, coupled with the disruption in health services, challenges in patients reaching health facilities for follow-up and receiving drugs for hypertension and diabetes because of the COVID-19 pandemic, prompted the government to launch MTM, aimed at doorstep delivery of health services.

Health Secretary Gagandeep Singh Bedi lists the achievements so far: skilled health workers delivering quality and people-centered care, reduction in out-of-pocket expenditure and financial risk protection, improved health service coverage and outcomes through availability and accessibility, greater equity, social inclusion and cohesion, community participation, and social accountability. The State Planning Commission, in a survey of 6,856 persons across the State, documented that MTM increased healthcare access for the poor. Before the scheme was launched, only one-third of the people of low-income groups were screened for diabetes and hypertension. The number rose to nearly 50% after its implementation. The survey found that

the scheme helped to cut out-of-pocket medical expenses, especially for those in low-income groups; expenses have halved for these groups after the scheme started operating.

Soumya Swaminathan, chairperson, MSSRF, Chennai, said MTM is a good scheme in terms of finding people who have NCDs in the community and treating them. “I have heard from people, particularly the elderly, that it was convenient to receive the medications at their doorstep. But the programme does not address prevention. In order to make a dent in NCDs at the population level in the long term, we need to address the root causes; risk factors, like unhealthy diet, lack of physical activity and air pollution,” she said.

Lifelong compliance with treatment has to be ensured and this is where digital tools can really help. “Adding the prevention component will help the State reduce the burden of chronic diseases, thereby reducing healthcare costs and help people lead healthy and good quality lives. While MTM screens for hypertension and diabetes, we also have a huge burden of mental health issues that need to be addressed as well,” she added.

A public health expert, who is familiar with the scheme, agrees that MTM has solved the problem of access for people living in remote areas and elderly patients. “On the positive side, doorstep screening enhances accessibility to healthcare services, making it easier for individuals, especially those in rural and underserved areas, to undergo regular screenings. Early detection of NCDs such as diabetes, hypertension, and cardiovascular diseases allows for timely intervention, lifestyle modifications and treatments, potentially reducing the severity and progression of these conditions. By reaching out to individuals who may otherwise not seek medical attention, doorstep screening helps in identifying risk factors and promoting preventive measures, reducing the overall burden of NCDs in the State,” he explains.

MTM has brought on other advantages. As a health official in the Tiruchi Corporation points out, a significant number of people previously being treated at private hospitals in the city were enrolling for the scheme. “We are monitoring 27,562 persons for hypertension, 21,745 for diabetes, and 24,008 persons for both through 91 volunteers. Given the convenience and free medicines, many patients are shifting from private doctors to MTM,” he says.

“I have heard from people, particularly the elderly, that it was convenient to receive the medications at their doorstep. But the programme does not address prevention. In order to make a dent in NCDs at the population level in the long term, we need to address the root causes; risk factors, like unhealthy diet, lack of physical activity and air pollution” Soumya Swaminathan Chairperson, MSSRF, Chennai

Patients from low-income groups have benefited from the door-delivery system. Take R. Malar, 55, for instance. She has arthritis and was diagnosed with diabetes last year. For her medicines, she had to travel more than 20 km every month from Malaipatti village in Pudukottai district to the Government Hospital, Viralimalai. But she now gets the medicines at her doorstep. “It was tough to get to the hospital, and I always had to go with my husband. We had to take a bus from our village to the hospital, and since he was a construction worker, his work got affected,” explains Malar.

Like her, S. Selvi, a tribal woman of the Kattupatti tribal settlement in the core area of the Anamalai Tiger Reserve (ATR), said on the phone that medical teams visited her settlement a few times and conducted checks. “Some residents were found to have high blood pressure and given tablets. A few other medicines were also given to our people at the doorstep,” she said.

There are more than 20 tribal settlements in the Pollachi and Tiruppur divisions of the ATR. Medical teams need to travel through dense forests, often by foot, to reach these places.

Similarly, residents will have to travel several kilometres by foot or vehicles to reach the nearest town.

T.S. Selvavinayagam, Director of Public Health and Preventive Medicine, reckons that reduction in cardiac diseases and strokes and in the State's overall cost towards NCDs are the advantages.

According to him, progress has been made, compared with the start of the scheme. "Initially, we did not have a portal. Now, with the support of the National Health Mission, we have established a portal on which our Women Health Volunteers (WHVs), field staff and institutional staff nurses make entries. When the patients come to the Primary Health Centre, the blood sugar and blood pressure values are entered. On monitoring these values..., I can say that the results have been satisfying. That said, we need to do one more STEPS survey," he said.

The scheme has its own share of troubles. Since its launch, MTM has been facing numerous hurdles in many southern districts. To name a few, shortage of WHVs, poor allocation of funds for drugs and serious gaps in drug delivery. More importantly, there is a lack of accountability and sustainability; not every targeted village is 100% covered. Above all, the data submitted by a majority of the WHVs required to be cross-checked as there were allegations of false information or wrong entry.

A health official in one of the southern districts said the government should not have set targets for WHVs; instead, it should have familiarised them with the project first. In many instances, that *The Hindu* checked independently, the WHVs had quit after two months of having joined duty. There were no replacements for them, and the villages remained uncovered, the official said.

Some doctors at government hospitals in Madurai, Ramanathapuram, Theni and Tirunelveli districts said the objective of the population-based screening was ideal, but there were serious gaps in its implementation. One charge was that the BP apparatus and the glucometer given to WHVs were either inaccurate or the volunteers could not read the measurement correctly.

Similarly, there were gaps in the drug delivery. In many cases, there was a lack of systematic follow-up by the WHVs.

High workload has also hit the WHVs hard. R. Lalitha, a WHV in Perambalur, said the WHVs were initially asked to screen around 10 persons daily, update their data and deliver the medicines according to their needs. But now the authorities have asked them to screen around 50 persons.

With health workers quitting, people are going back to primary health centres to get medicines, sources said. "We are paid 4,500 per month, and there are no other concessions, including fuel allowance. Because of this, many have left the job," Ms. Lalitha added.

Another WHV said they had to spend for battery replacement in the BP apparatus. "We have periodic area visits for screening and drug distribution as well as meetings. We have to visit households when family members are available, and in our region, it is usually at 6.30 a.m. and after 4 p.m. The salary is not sufficient for the work we do," she said. The sources noted that the out-of-pocket expenditure for these volunteers persisted as they paid for fuel and battery.

Getting timely supplies remains a problem, a staff nurse said, adding: "For instance, there is a delay in getting Continuous Ambulatory Peritoneal Dialysis bags. This week's supply is given next week. At times, I go around and pool in as many bags as possible to give them to patients."

One of the main concerns is that the programme's key aspect — control rates — is yet to be evaluated, official sources said. Questions are being raised about how the outcomes are being measured. A public health researcher said, "We have the number of people screened and receiving drugs. Is that the way the scheme is evaluated and outcomes are measured? Instead, we should have data on those who were newly diagnosed with diabetes or hypertension or both, took consistent treatment, and level of control achieved. With each visit, we should see whether control has been achieved. We need to see if there are complications and document blood sugar levels (at least HbA1c) and BP," he pointed out.

He went on to discuss another broader area of concern: human resources. "The programme depends on volunteers, not government staff. There is no accountability for lacunae. We need a trained person with expertise, with clinical acumen, to identify complications in persons diagnosed with hypertension or diabetes. This needs to be corrected immediately. Village Health Nurses (VHNs) are already involved in the reproductive and child health scheme; so, we can at least look at creating more posts of VHN," he said.

Next comes the wear and tear of equipment. "The accuracy of results may also be a concern, as portable screening equipment may not always match the precision of specialised medical facilities. Adequate training of healthcare professionals conducting the screenings is essential to ensure reliable outcomes," an expert said. He added, "Let's put it this way. What has MTM done? It has brought in screening and drug delivery, saving time for people by involving an extra person (WHV). But has the health status of the person improved? The answer is probably no. We are still talking about coverage, when we should have evaluated the rate of control of NCDs."

"A proactive State like Tamil Nadu should focus on QALY (Quality-Adjusted Life Year) of NCD patients listed under MTM. There should be focus on the control rate of the above population and referral and follow-up for patients with co-morbidities requiring speciality care," he said.

Officials said certain challenges and shortfalls were observed. Mr. Bedi summed them up — referral linkages and integration between the field-level team and public institutions, handling stakeholders from other departments involved in implementation and functioning of the scheme, and increasing awareness among the patients of the importance of visiting the health facility for confirmation of disease after being screened by the WHVs during doorstep screening are some of them. "As part of data collection, MTM workers are capturing the values of patients on a day-to-day basis. This gives us an overview of the control rate. The Planning Commission took up the study on MTM's impact recently. Shortly, the National Institute of Epidemiology will take up STEPS survey Round II for a similar impact-based study that will cover the control rate as well," Mr. Bedi said.

(Inputs from Nahla Nainar and Ancy Donal Madonna in Tiruchi; Wilson Thomas in Coimbatore; and L. Srikrishna in Madurai)

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July 24, 2023 08:30 am | Updated 08:30 am IST

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The Johnson & Johnson company offices in Irvine, California, U.S. | Photo Credit: REUTERS

The story so far: Bedaquiline has now become the cornerstone to cure drug-resistant tuberculosis (DR-TB). Last week, a major barrier for drug resistant TB care ended, when Johnson & Johnson's patent on bedaquiline expired on July 18. This long-awaited expiry will allow generic manufacturers to supply the drug, but J&J appears intent on maintaining its monopoly over the bedaquiline market.

J&J has filed secondary patents over bedaquiline till 2027, which were granted in 66 low-and middle-income countries. It includes 34 countries with high burden of TB, multidrug-resistant TB (MDR-TB), and TB/HIV. Over the past week, J&J has faced public outrage for seeking to extend its patent on bedaquiline. A first of its kind deal between J&J and the Global Drug Facility (GDF), a non-profit distribution agency housed in the WHO, could expand access to the drug. Researchers estimate that, with the introduction of competition from India, the price of bedaquiline will reduce in the range of \$48-\$102 for a six-month treatment course — which is three to six times lower than the current globally negotiated price paid by countries (\$272) when it is procured through the GDF.

Tuberculosis was the world's deadliest infectious disease, as declared by the WHO, before COVID-19 swept the world. Each year, nearly half a million people develop drug-resistant TB and nearly 10.4 million people develop drug-sensitive TB. One-third of the world's population has latent TB, a version of the disease that can turn active as immunity falls. Nearly 2.8 million patients, the most in the world, live in India making it a national public health emergency. Globally, DR-TB is a major contributor to antimicrobial resistance and continues to be a public health threat.

Janssen Pharmaceutical (a subsidiary of J&J) made bedaquiline around 2002. Several of the phase I and II clinical trials — where the safety and efficacy of the drug is established before the drug's registration — were sponsored by public and philanthropic organisations such as the U.S. National Institutes of Health (NIH), National Institute of Allergy and Infectious Diseases, and the TB Alliance. Following the 2012 approval of bedaquiline based on phase II data, several research institutes, treatment providers, including national TB programmes and medical humanitarian organisations, have put in resources in additional trials, operational research, and pharmacovigilance to further document the safety, efficacy and optimal use of bedaquiline in DR-TB regimens. The recent WHO recommendation of bedaquiline being a core drug for the treatment of DR-TB is largely based on the evidence produced through these collective efforts.

However, J&J has claimed sole ownership of it, protected by its aggressive patenting strategies.

Other DR-TB drugs like linezolid have decreased in prices by over 90% with generic competition once Pfizer's patent expired in 2015. Therefore, national TB programmes are waiting for the generic supply of bedaquiline from Indian manufacturers to reduce prices.

In India, a 'pre-grant opposition' was filed by a patient group and two TB survivors — Nandita Venkatesan from India, and Phumeza Tisile from South Africa — both of whom had to endure the more toxic DR-TB treatments that lasted up to two years and caused excruciating side effects: they both lost their hearing. As a result of their legal challenge, in a landmark decision before World TB Day, the Indian Patent Office rejected the U.S. corporation J&J's secondary patent which would have extended its monopoly for four more years. Indian manufacturers will now be able to supply affordable, quality assured generic versions of bedaquiline in India as the primary patent expired on July 18. However, they will not be able to export the medicine to 34 of the 43 countries with a high burden of TB.

Not just yet. The GDF deal claims to cover majority of low-and middle-income countries but some of the countries hardest hit by DR-TB will not benefit. Eastern European countries and China with high burden of TB are believed to be out of the agreement. Countries like South Africa are not purchasing from GDF and with the ever-greening patent in force till 2027, it will not get access to generic Bedaquiline.

Excluded countries are raising concerns with J&J about patent barriers and their exclusion from benefiting from generic competition.

Vidya Krishnan is a health reporter and Leena Menghaney is Global IP Advisor to the MSF Access Campaign.

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A BUSLOAD OF PROBLEMS

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The Kerala State Road Transport Corporation, with an operational fleet of around 4,600-4,700 buses, has often been in the midst of controversy as trade unions have repeatedly opposed its proposed reforms. File | Photo Credit: The Hindu

The cash-strapped Kerala State Road Transport Corporation (KSRTC) is heading towards another crisis with Biju Prabhakar, the chairman and managing director of the public utility, announcing that he will step down.

The Corporation, with an operational fleet of around 4,600-4,700 buses, has often been in the midst of controversy as trade unions have repeatedly opposed its proposed reforms. This time, the public utility has grabbed headlines for a different reason. Repeated raps from the Kerala High Court along with inter-departmental feuds have forced Mr. Prabhakar to inform the government about his willingness to call it a day.

In the latest incident, while [expressing strong displeasure over the non-payment of last month's salary](#) to KSRTC employees, the High Court on July 14 directed Mr. Prabhakar to appear online before it if salaries are not paid by July 20. The reluctance of the Finance Department to provide the assured monthly financial aid to the Corporation on time has made things worse. A section of employees owing allegiance to the Opposition Congress marched in protest to the official residence of Mr. Prabhakar.

Also read | [Provide further financial aid to KSRTC to pay staff salary: Kerala HC tells govt.](#)

It was during an earlier crisis that Chief Minister Pinarayi Vijayan had provided assurance that a monthly financial aid of 50 crore would be given to the Corporation before the 5th of every month, which would pay the salary of the 25,000-odd employees. However, the Finance Department has been dragging its feet by not paying the promised amount. It instead issued only 30 crore, that too after repeated requests by the Corporation every month. The KSRTC has an average monthly turnover of 210 crore, and requires around 260 crore to meet all its expenses, including salaries. Had the government provided the assured monthly aid of 50 crore on time, the Corporation could have stayed more afloat without relying on other financial institutions. In addition, the State has not provided adequate major working capital sought by the Corporation in recent times. As a result, around 1,200 buses are lying idle without proper maintenance after COVID-19.

To add to the KSRTC's woes, miffed employees continue to resist the reforms that are mooted

by the management from time to time. A senior KSRTC official asked how the management could implement reforms when the employees were not even given their salaries, let alone other perks, on time. The Corporation's recent decision to implement a 12-hour single-duty system for employees has also run into rough weather with unions opposing the move.

Though the management forcefully implemented a new system for optimum utilisation of employees on a pilot basis at selected depots from October 1, 2022, it could not extend it across the State even nine months after the introduction of the new system.

The inefficiency of a section of employees is also a matter of serious concern for the Corporation. Further, the State is likely to effect a minor reshuffle in the Cabinet in the coming months. Transport Minister Antony Raju might be replaced by another ally from the Left front in Kerala. The incumbent KSRTC chairman and managing director, who shares a good rapport with the current Transport Minister, is reportedly reluctant to serve under another Minister.

Amid these developments, there is some good news. The new legal entity formed under the Corporation, KSRTC-SWIFT, could register profit as appointments in SWIFT are on a contract basis. This means that the management will be able to implement reforms with ease.

All this underscore the State government's apathy in finding a lasting solution to the issues plaguing the Corporation, its inability to deal with the demands of trade unions and solve the inter-departmental feud that has deepened the crisis in the Corporation, and the poor financial situation of Kerala.

The reluctance of the employee unions to toe the line of the government also indicates that the change of guard at the top will not bring any changes in the Corporation. Instead, the unions could become more emboldened in the future. The situation calls for a multi-pronged approach involving the management, employees, government departments, and trade unions. It is in the best interests of the government and citizens to keep KSRTC, which services over 25 lakh passengers every month, afloat and turn it around.

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THE POLITICS OF THE UNIFORM CIVIL CODE

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Members of the women's wing of All India Muslim Personal Law Board meet female representatives of different parties regarding Uniform Civil Code at Sir Syed Ahmed Khan's Conference Hall, Madina Education Centre, in Hyderabad July 22, 2023. | Photo Credit: ANI

On June 27, in Bhopal, when [Prime Minister Narendra Modi advocated](#) that [a Uniform Civil Code \(UCC\)](#) be implemented, he was seeking to accomplish the last of the three core ideological agendas that the Bharatiya Janata Party (BJP) has campaigned for years. The abrogation of Article 370 of the Constitution and construction of the Ram Mandir in Ayodhya are the other two. But why is it the BJP so eager to have a UCC while its exclusionary majoritarian ideology considers inequality between the majority and minority population as legitimate? In Bhopal, Mr. Modi asked: How could it be possible to run a family (the nation) with disparate laws for its different members (communities)? B.R. Ambedkar asked similar questions: Why should Hindu religion have four castes? And why do some caste groups dominate and humiliate others, particularly Dalits? The fate of India's egalitarian pursuit would ultimately depend on the resolutions of these two inter-twined questions. But the Hindu Right seems to be overenthusiastic about the UCC, and shows no concern for Ambedkar's question on caste inequalities. Though the Constitution recommends a UCC, the fact is that a UCC has been seen as a communal agenda for a long time. Even well-known, secular public intellectuals have chosen to shy away from taking a clear stand in its favour.

India may be moving towards majoritarianism, but the arc of democracy is increasingly bending towards multiculturalism. Many Western liberal democracies, and not just India, are wrestling with the issue of gender equality, which is at the crux of a UCC. For instance, the French courts deal with such cases that often come from Muslim immigrants from Morocco and Algeria. Canada, Australia, and the U.S. often use religious-based alternative dispute resolutions. India could learn from such efforts.

Another key issue of UCC is Muslim personal law. The All India Muslim Personal Law Board (AIMPLB) came into existence in 1973 mainly to preserve Muslim personal law. But the history of personal law can be traced to as early as 1772, when the colonial state used religious doctrines to formulate personal laws. The Muslim Personal Law (Shariat) Application Act, 1937 and the Dissolution of Muslim Marriage Act, 1939 form the foundation of Muslim personal law. The triple talaq bill, passed in 2019, is one of the recent major changes to personal law.

Some suggest that internal reforms within the community are the way forward, but sadly, there

has not been much progress on this score till date. Muslim women activists have been knocking on the doors of community leaders for years for reforms, particularly codification of Muslim personal law. During Nehru's time, many Muslim countries such as Jordan, Syria, Tunisia, and Pakistan brought about reforms and codified their family laws. These changes were based on The Ottoman Law of Family Rights, 1917. Though Maulana Azad and Humayun Kabir were prominent Muslim leaders at the time in India, no efforts for internal reforms took place. In independent India, the Muslim community leadership has been majorly aligned with secular parties; the community has barely had any independent leadership. Even the Deoband leadership was aligned with the Congress for a long period of time. The indifference shown by secular parties, whether in power or out of it, towards contentious issues such as Ayodhya and UCC has created opportunities for the Hindu Right to set the agenda.

Progress on internal reforms remains insignificant. Many feminists and Muslim women groups who are exhorting for gender justice have been accusing the AIMPLB of being an all-male body ever since the days of the Shah Bano case. Under pressure, the AIMPLB had opened space for women members for whatever its worth. But there is hardly any progress on the codification of family law or on general reform of personal law.

For the average Indian political mind, UCC is only three glorious words with an exalted promise of equality of law. So, it does make sense when Opposition parties are asking the government to present a draft. At the same time, these parties have both the resources and the time to prepare their own draft, which could have brought about a qualitative difference to the present debate. It now appears that India is heading for a great clash between Muslim groups such as the AIMPLB and the Indian state on this issue. Groups such as AIMPLB may not be able to influence the Modi government the way they convinced the Rajiv Gandhi government about the Shah Bano case. If the community is mobilised to take to the streets, it will add a new layer to the politics of polarisation, which may give an advantage to the Hindu Right. On the Babri Masjid issue, such a clash took place both on the streets and in court. In the end, it all appeared to be in vain, and the community is living with a deep sense of loss and injustice.

Also read | [Push for Uniform Civil Code turns spotlight on Supreme Court's query on religious freedom](#)

On the relationship between gender justice and Islam, a lot depends on interpretations of the religion and religious texts. While liberal interpretations can be found in various works, such as those by the Moroccan feminist Fatima Mernissi, there are also regressive interpretations, which can be found in the statements of the Taliban, for instance. One only hopes that Muslim groups in India opt for liberal interpretations which ensure gender justice. Whatever be the outcome, a UCC under a majoritarian regime is likely to be an awkward result of the crisis of Indian secularism.

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Actor-turned-politician Pawan Kalyan with Union Home Minister Amit Shah, in New Delhi. | Photo Credit: PTI

On July 18, Pawan Kalyan, the president of the Jana Sena Party (JSP), was called to attend the National Democratic Alliance (NDA) meeting in New Delhi. After the meeting, the actor-turned politician met Prime Minister Narendra Modi alone. Later, he also met Home Minister Amit Shah and Bharatiya Janata Party (BJP) national president J.P. Nadda. His presence at these meetings reaffirmed the JSP's alliance with the BJP and its presence in the NDA. It may also push the YSR Congress Party (YSRCP) to rethink its political strategy in Andhra Pradesh.

Mr. Kalyan took the opportunity in New Delhi to criticise the ruling YSRCP and also speak to the national media. He suggested that the BJP open its arms to all those parties which intend to upset the YSRCP government. He has repeatedly dropped hints that the 2014 winning combination of the BJP, the JSP, and the Telugu Desam Party (TDP) should be back in force to ensure that Chief Minister Jagan Mohan Reddy is no longer in power.

Mr. Kalyan founded the JSP in 2014. He did not contest the 2014 general and Assembly elections, but provided outside support to the BJP-TDP alliance. The combination won, and Chandrababu Naidu of the TDP was back as Chief Minister for the third time. However, in 2018, the JSP grew disillusioned with the TDP and the NDA over issues of farm distress and the non-grant of 'special category status' for the State, promised during the bifurcation of Andhra Pradesh in 2014, and left the alliance. In 2019, the JSP fought the Assembly elections along with the Left parties and the Bahujan Samaj Party, but it performed miserably. Despite contesting all the 175 Assembly seats, it won only the Razole Assembly seat. The next year, it rejoined the NDA alliance. Since then, Mr. Kalyan has met Mr. Modi at least twice and Mr. Shah and Mr. Nadda several times.

Since his debacle in 2019, Mr. Kalyan's popularity as a politician may have grown. The huge response to his Varahi Yatra, launched to "expose" all the "misdeeds and corruption" of the government, and the debt burden on the State, is an indication. He intends to cover the entire State in the next few months.

The yatra by TDP leader Nara Lokesh has also been attracting crowds, including in Mr. Reddy's stronghold, Kadapa. After Mr. Naidu stormed out of the alliance with the NDA, it seemed unlikely that the TDP and the BJP would patch up in the near future. But of late, Mr. Naidu, who has

been called by Mr. Reddy an opportunist, has been warming up to both the BJP and the JSP. This has created speculation that the combination might work again.

While this sounds great on paper, there are also several challenges ahead. As Mr. Kalyan is from the Kapu community, the JSP is seen as a Kapu party. Kapus form close to 30% of the population in the State. So far, Andhra Pradesh has not fielded a Chief Minister from this community. Aware of this, Mr. Reddy has been encouraging Mudragada Padmanabham, another strong Kapu leader from the Godavari districts, a Kapu area, to re-enter politics. Recently, Mr. Padmanabham came out of his political hibernation, but did not announce his political affiliations.

However, if there is a demand for a Kapu Chief Minister, it may leave Mr. Naidu and the Kamma community unhappy. Despite forming less than 10% of the population, the Kammas are financially strong. In 2008, when Mr. Kalyan's elder brother and popular matinee star K. Chiranjeevi launched the Praja Rajyam Party (PRP), the Kapus backed it fully. But the merger of the PRP with the Congress upset the community. It is important to note that politics in Andhra Pradesh has always been dominated by the Reddy and Kamma communities.

Second, despite Mr. Kalyan's good relationship with the BJP leadership, there has been lack of synergy between the workers of the JSP and the BJP. This will need to be addressed.

The third challenge pertains to the face of the alliance. There could be issues on this front since both Mr. Naidu and Mr. Kalyan might push to be the face of the alliance. The BJP too may have its own preferences. Mr. Kalyan has categorically stated that the chief ministerial face will be decided post-elections. This, though, may prove to be a bad strategy in the run-up to the elections since Mr. Reddy's welfare schemes are popular across the State.

Finally, though Mr. Kalyan has a large following among the youth, his party lacks strong leaders. If he relies only on his image, this could backfire, as was the case in 2019.

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THE JAN VISHWAS (AMENDMENT OF PROVISIONS) BILL, 2022

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Highlights of the Bill

- The Jan Vishwas (Amendment of Provisions) Bill, 2022 amends 42 laws, across multiple sectors, including agriculture, environment, and media and publication. Acts being amended include the Indian Post Office Act, 1898, the Environment (Protection) Act, 1986, the Public Liability Insurance Act, 1991, and the Information Technology Act, 2000.
- The Bill converts several fines to penalties, meaning that court prosecution is not necessary to administer punishments. It also removes imprisonment as a punishment for many offences. All offences under the Post Office Act, 1898 are being removed.
- Fines and penalties for certain offences in specified Acts are being increased. These fines and penalties will be increased by 10% of the minimum amount every three years.
- The Bill amends some Acts to provide for the appointment of Adjudicating Officers to decide penalties. It also specifies the appellate mechanism.

Key Issues and Analysis

- The Bill omits all offences under the Indian Post Office Act, 1898. This raises two questions. First, since several offences under this Act can only be committed by post office officials, it is not clear how deleting those offences is relevant to the stated objective of improving ease of living and doing business. Second, the omitted offences include the unlawful opening of postal articles. Removing punishments for this offence may lead to unjustified invasions of privacy.
- The Adjudicating Officers appointed to award penalties for environmental offences are senior officials of the Executive branch. They may lack the required technical and judicial competence to decide on such penalties.
- The Bill creates an Environmental Protection Fund for education, awareness, and research for environment protection. The reasons for creating this fund are unclear given the overlap between its purpose and that of existing funds of the Central and State Pollution Control Boards.
- The Bill decriminalises offences under the High Denomination Bank Notes (Demonetisation) Act, 1978. This Act was used to remove high-value banknotes as legal tender on January 16, 1978. This deadline also applied to regulatory compliances under that Act. Therefore, amending punishments under this Act after 45 years may not be relevant.

PART A: HIGHLIGHTS OF THE BILL

Context

The Ease of Doing Business rankings, published by the World Bank, cover various aspects of business activity, including contract enforcement and tax compliance.^[1] India ranked 132 out of 185 countries in 2013, and improved to 63 in 2020, after which the rankings were discontinued.¹^{[2],[3]} Over the years, various expert committees including the Standing Committee on Commerce (2015) and the Company Law Committee (2019, 2021) have

recommended reforms to reduce deterrents to business activity.^[4] The Company Law Committee identified criminal liability for technical or procedural contraventions to be a deterrent to business activity.^{[5]:[6]} Subsequently, the Companies Act, 2013 was amended in 2019 and 2020 to re-categorise offences as civil contraventions that can be awarded by a government officer.^{[7],[8]}

The Jan Vishwas (Amendment of Provisions) Bill, 2022, was introduced in Lok Sabha on December 22, 2022. It amends 42 Acts to decriminalise certain offences, reduce the compliance burden on individuals and businesses and ensure ease of doing business. The Bill was referred to a Joint Parliamentary Committee (Chair: Mr. P.P. Chaudhary), which submitted its report on March 17, 2023.^[9]

The Committee recommended amendments to the severity of certain punishments. For example, under the Merchant Shipping Act, 1958, failing to inform a notified authority of the ship's involvement in an accident is punishable by up to one year's imprisonment, a fine of up to Rs 10,000, or both. The Bill amends this to a penalty of five lakh rupees. The Committee recommended omitting the amendment due to the environmental implications of such contraventions.⁹ For some laws decriminalised by the Bill, such as those in the Boilers Act, 1923, the Committee also recommended amendments to provide for Adjudicating Officers and appellate authorities of at least one rank above the Adjudicating Officer.⁹

Key Features

- The Bill amends 42 Acts which include: the Indian Post Office Act, 1898, the Environment (Protection) Act, 1986, the Public Liability Insurance Act, 1991, and the Information Technology Act, 2000.
- **Decriminalising certain offences:** Under the Bill, several offences with an imprisonment term in certain Acts have been decriminalised by imposing only a monetary penalty. For example, under the Information Technology Act, 2000, disclosing personal information in breach of a lawful contract is punishable with imprisonment of up to three years, or a fine of up to five lakh rupees, or both. The Bill replaces this with a penalty of up to Rs 25 lakh. In certain Acts, offences have been decriminalised by imposing a penalty instead of a fine. For instance, under the Patents Act, 1970, a person selling a falsely represented article as patented in India is subject to a fine of up to one lakh rupees. The Bill replaces the fine with a penalty, which may be up to ten lakh rupees.
- **Removal of offences:** The Bill removes certain offences. These include all offences under the Indian Post Office Act, 1898.
- **Revision of fines and penalties:** The Bill increases the fines and penalties for various offences in the specified Acts. The fines and penalties will be increased by 10% of the minimum amount every three years.
- **Adjudicating Officers:** The central government may appoint one or more Adjudicating Officers for determining penalties. These Officers may summon individuals for evidence and conduct inquiries into violations of the respective Acts. These Acts include the Agricultural Produce (Grading and Marking) Act, 1937 and the Public Liability Insurance Act, 1991. The Bill also specifies the appellate mechanisms for the orders passed by these Officers. For instance, in the Environment (Protection) Act, 1986, appeals against the Adjudicating Officer's orders may be filed with the National Green Tribunal within 60 days.

PART B: KEY ISSUES AND ANALYSIS

Omission of offences under the Indian Post Office Act, 1898

The Bill removes all offences and penalties under the Indian Post Office Act, 1898. This raises two issues.

Omission of offences under the Act may not be relevant to legislative intent

Offences being removed include those committed by officers employed in post offices, such as theft or dishonest misappropriation of postal articles and fraud in connection with postal marks. It is unclear why such offences are being removed, since they may not be relevant to the objective of the Bill. The stated objective of the Bill is to decriminalise certain offences to promote ease of living and doing business.

Omission of offences under the Act may lead to privacy issues

The Act punishes officers of post offices for the illegal opening of postal articles with imprisonment of up to two years, a fine, or both. Persons other than postal officials are also penalised for opening a mail bag. The Bill removes all these provisions. This may raise questions regarding privacy. Highly personal information, such as health insurance information and credit card statements, may be received by post. Deleting these offences would remove the safeguards against invasions of privacy. This may go against the Right to Privacy recognised by the Supreme Court in 2017. These violations are not covered by other laws, such as the Indian Penal Code, 1860, which punish only where they are accompanied by theft or misappropriation.^[10]

Competence of Adjudicating Officers added under environmental laws

The Bill amends the adjudication process under the Air (Prevention and Control of Pollution) Act, 1981 (Air Act) and the Environment (Protection) Act, 1986 (EP Act). Currently, contraventions of both laws are prosecuted in court only upon a complaint by specified authorities, or by any person who has given these authorities 60 days' notice of their intention to file a complaint.^[11] Under the Air Act, these authorities are the Central Pollution Control Board (CPCB) and the respective State Pollution Control Boards (SPCBs). Under the EP Act, these authorities are the notified officers of the central government. The Bill provides for Adjudicating Officers to decide penalties under both Acts, and also to file complaints in court under the EP Act. Appeals against their orders lie with the National Green Tribunal. Under both Acts, the officer would be of the rank of Joint Secretary to the central government or above, or a Secretary to the state government. This new process of adjudication raises a few issues.

Independence of Adjudicating Officers

Governments or their agencies may violate the Air Act and the EP Act. For example, in 2022, the National Green Tribunal penalised Singareni Collieries Company Limited, a coal mining company jointly owned by the central government and the Government of Telangana, for excess mining.^[12] The question is whether government officers would be sufficiently independent as adjudicating authorities in such cases.

Judicial and technical competence of Adjudicating Officers

Under the Bill, penalties for failing to comply with the EP Act, or the rules and directions made under it range from Rs 5,000 to Rs 15 lakh (300 times the lower limit). The Bill also adds the criteria for the Adjudicating Officer to decide penalties under the EP Act. These include: (i) the population and area affected, (ii) the duration and frequency of violation, (iii) the vulnerability of

those affected, and (iv) undue gain from the contravention. Given the wide band of penalties and the extent of discretion involved in balancing various criteria, adjudicating cases under both the EP Act and Air Act is effectively a judicial role. Therefore, the question is whether the Adjudicating Officer, who would be a Joint Secretary to the central government or a Secretary to the state government, would be competent to decide these penalties.

Further, there is significant technical input involved in legal proceedings for offences under the Air Act. These Adjudicating Officers may lack the technical competence necessary to decide all penalties under the Air Act and the EP Act. For example, under the Air Act, a complaint may be filed in a court by the CPCB or an SPCB, or by any person who has first given notice to the relevant pollution control board. Officers of pollution control boards are empowered to collect samples of air emissions under the Act. These samples are then analysed by expert analysts, whose reports may be produced as evidence in legal proceedings.

Under the Bill, the manner of conducting inquiries and deciding penalties by an Adjudicating Officer under the Air Act is to be prescribed by rules. The role of pollution control boards in assessing environmental damage in proceedings before the Adjudicating Officer is not specified in the Bill.

Relationship between Adjudicating Officers and the judiciary

Under the Bill, the Adjudicating Officer will be responsible for receiving and hearing complaints against contraventions under the EP Act. Their decisions can be appealed to the National Green Tribunal, whose decisions are appealed to the Supreme Court. The Bill also empowers the Adjudicating Officer to file complaints in court for offences under the EP Act. The question is whether there is a need for a parallel process in which the Adjudicating Officer can also file a complaint in court. This may be conflating the role of an adjudicatory body with that of the prosecution.

Functional overlap between proposed and existing Funds

The Bill adds an Environmental Protection Fund under the EP Act. The Fund will be used for education, awareness, and research for environmental protection, as well as the expenses of implementing these Acts. Other funds exist which fulfil a similar purpose, hence the question is whether this new Fund is necessary.

Both the CPCB and SPCBs have their own Funds.^{[13],[14]} The CPCB and SPCBs both bear responsibility for implementing provisions of the Air Act and the EP Act.^{[15],[16],[17],[18]} They also conduct research, programme implementation, and media programmes for the control of air and water pollution.^[19] Since these Funds already provide for education, awareness, and research for environmental protection, the need for a new Fund for the same purposes is unclear. As per a 2017 report of the Comptroller and Auditor General, the CPCB and SPCBs have sufficient funds, but lack the personnel and infrastructure to utilise them fully.^[20] Similar issues may persist with the new Fund.

Rationale for amending the High Denomination Bank Notes (Demonetisation) Act, 1978

The High Denomination Bank Notes (Demonetisation) Act, 1978 sought to curb illegal transactions which relied upon high-denomination banknotes, by declaring them to cease to be legal tender on January 16, 1978.^[21] These included banknotes with denominations of Rs 1,000, Rs 5,000, and Rs 10,000. The Act requires banks to prepare declarations regarding the volume of high-value banknotes held by them, and submit them to the Reserve Bank of India.^[22] Any person could also exchange such banknotes before January 19, 1978, by submitting them along

with a declaration providing certain details.^[23] Offences include failing to present this declaration before the deadline, or knowingly submitting a false declaration. The Act provides for imprisonment for bank officials making false returns, or persons making false declarations while submitting the banknotes. The Bill seeks to remove imprisonment as a punishment for these offences. These banknotes ceased to be legal tender and the deadline for exchanging them ended 45 years ago. It is therefore unclear why these penalties are relevant today, and need to be decreased. The Joint Parliamentary Committee on the Bill (2023) recommended repealing the Act itself.⁹

[1]. "Doing Business 2020", World Bank, accessed March 24, 2023, <https://documents1.worldbank.org/curated/en/688761571934946384/pdf/Doing-Business-2020-Comparing-Business-Regulation-in-190-Economies.pdf>.

[2]. "World Bank Group to Discontinue Doing Business Report", World Bank, September 16, 2021, <https://www.worldbank.org/en/news/statement/2021/09/16/world-bank-group-to-discontinue-doing-business-report>.

[3]. "Doing Business in 2013", World Bank, accessed March 24, 2023, <https://www.doingbusiness.org/content/dam/doingBusiness/media/Annual-Reports/English/DB13-full-report.pdf>.

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[5]. "Report of the Company Law Committee on Decriminalization of the Limited Liability Partnership Act, 2008", Company Law Committee, January 2021, <https://www.mca.gov.in/bin/dms/getdocument?mds=bwsK%252FBEAFTVdpdKuv5IR5w%253D%253D&type=open>.

[6]. "Report of the Company Law Committee (2019)", Company Law Committee, November 2019, https://www.mca.gov.in/Ministry/pdf/CLCReport_18112019.pdf.

[7]. The Companies (Amendment) Act, 2019, https://www.mca.gov.in/Ministry/pdf/AMENDMENTACT_01082019.pdf.

[8]. The Companies (Amendment) Act, 2020 https://www.mca.gov.in/Ministry/pdf/AmendmentAct_29092020.pdf.

[9]. "Report of the Joint Committee on the Jan Vishwas (Amendment Of Provisions) Bill, 2022", March 20, 2023, [https://prsindia.org/files/bills_acts/bills_parliament/2022/Joint_Committee_on_the_Jan_Vishwas_\(Amendment_of_Provisions\)_Bill_2022.pdf](https://prsindia.org/files/bills_acts/bills_parliament/2022/Joint_Committee_on_the_Jan_Vishwas_(Amendment_of_Provisions)_Bill_2022.pdf).

[10]. Section 403, and Section 461, The Indian Penal Code, 1860.

[11] Section 43, the Air (Prevention and Control of Pollution) Act, 1981; Section 19, the Environment (Protection) Act, 1986.

[12]. Banothu Nandu Nayak v. Singareni Collieries Co. Ltd, Original Application No. 174 of 2020 (SZ), National Green Tribunal, https://greentribunal.gov.in/gen_pdf_test.php?filepath=L25ndF9kb2N1bWVudHMvbmd0L2Nhc2Vkb2MvanVkZ2VtZW50cy9DSEVOTkFJLzlwMjltMTkMTkVMTY2OTg4Nzk2MjltODc1NzI1MDYzODg3N2RhN2I4MTMucGRm.

[13]. Section 34, 35, 36 and Section 37, The Water (Prevention and Control of Pollution) Act, 1974.

[14]. Detailed Demand For Grants, Ministry of Environment, Forests, and Climate Change, 2022-23, <https://www.indiabudget.gov.in/doc/eb/sbe28.pdf>.

[15]. Section 3, The Air (Prevention and Control of Pollution) Act, 1981.

[16]. Rule 3, The Environment (Protection) Rules, 1986.

[17]. S.O. 327(E), Ministry of Environment and Forests, April 10, 2001, <https://cpcb.nic.in/7thEditionPollutionControlLawSeries2021.pdf>.

[18]. S.O. 157(E), Ministry of Environment and Forests, February 27, 1996, <https://cpcb.nic.in/7thEditionPollutionControlLawSeries2021.pdf>.

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[21]. Section 3, The High Denomination Bank Notes (Demonetisation) Act, 1978.

[22]. Section 5, The High Denomination Bank Notes (Demonetisation) Act, 1978.

[23]. Section 7, The High Denomination Bank Notes (Demonetisation) Act, 1978.

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THE CINEMATOGRAF (AMENDMENT) BILL, 2023

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- The Cinematograph (Amendment) Bill, 2023 was introduced in Rajya Sabha on July 20, 2023. The Bill amends the Cinematograph Act, 1952. The Act constitutes the Board of Film Certification for certifying films for exhibition. Such certifications may be subject to modifications/deletions. The Board may also refuse the exhibition of a films.
- **Additional certificate categories: The Bill adds certain additional certificate categories based on age. Under the Act, film may be certified for exhibition: (i) without restriction ('U'), (ii) without restriction, but subject to guidance of parents or guardians for children below 12 years of age ('UA'), (iii) only to adults ('A'), or (iv) only to members of any profession or class of persons ('S'). The Bill substitutes the UA category with the following three categories to also indicate age-appropriateness: (i) UA 7+, (ii) UA 13+, or (iii) UA 16+. The age endorsement within the UA category by the Board will inform guidance of parents or guardians, and will not be enforceable by any other persons other than parents or guardians.**
- **Separate certificate for television/other media: Films with an 'A' or 'S' certificate will require a separate certificate for exhibition on television, or any other media prescribed by the central government. The Board may direct the applicant to carry appropriate deletions or modifications for the separate certificate.**
- **Unauthorised recording and exhibition to be punishable: The Bill prohibits carrying out or abetting: (i) the unauthorised recording and (ii) unauthorised exhibition of films. Attempting an unauthorised recording will also be an offence. An unauthorised recording means making or transmitting an infringing copy of a film at a licensed place for film exhibition without the owner's authorisation. An unauthorised exhibition means the public exhibition of an infringing copy of the film for profit: (i) at a location not licensed to exhibit films or (ii) in a manner that infringes upon the copyright law.**
- Certain exemptions under the Copyright Act, 1957 will also apply to the above offences. The 1957 Act allows limited use of copyrighted content without owner's authorisation in specified cases such as: (i) private or personal use, (ii) reporting of current affairs, or (iii) review or critique of that work.
- The above offences will be punishable with: (i) imprisonment between three months and three years, and (ii) a fine between three lakh rupees and 5% of the audited gross production cost.
- **Certificates to be perpetually valid: Under the Act, the certificate issued by the Board is valid for 10 years. The Bill provides that the certificates will be perpetually valid.**
- **Revisional powers of the central government: The Act empowers the central government to examine and make orders in relation to films that have been certified or are pending certification. The Board is required to dispose matters in conformance to the order. The Bill removes this power of the central government.**

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SPIKE IN CONJUNCTIVITIS, FUNGAL INFECTIONS, DELHI HOSPITALS ON ALERT

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 26, 2023 01:53 am | Updated 07:36 am IST - NEW DELHI

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Delhi Health Minister Saurabh Bharadwaj attributed the spike in cases of conjunctivitis and vector-borne diseases to the high humidity levels. | Photo Credit: FILE PHOTO

The city is seeing a spike in cases of conjunctivitis, fungal infections and vector-borne diseases, Health Minister Saurabh Bharadwaj said on Tuesday, adding that hospitals in Delhi have been alerted about the same.

He attributed the rise in the cases to the high humidity levels. The Municipal Corporation of Delhi (MCD) on Tuesday issued guidelines asking teachers to be vigilant in recognising symptoms of conjunctivitis after some teachers reported a spike in such cases in the municipal-run schools.

The symptoms may include redness in the eyes, excessive tearing, itchiness, and eye. Teachers have also been asked to encourage students to practice good hygiene habits, and refrain students from touching eyes, face, or common surfaces with unwashed hands.

According to an MCD report, over 180 cases of dengue were reported in the city as of Tuesday, exceeding an all-time high in five years from January 1 to July 22. The report also recorded 61 cases of malaria and 14 of chikungunya.

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NHRC TO HOST NATIONAL CONFERENCE ON MENTAL HEALTHCARE IN VIGYAN BHAWAN, RELEASE NEW BOOK

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 26, 2023 03:45 am | Updated 03:45 am IST - New Delhi

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National Conference on Moving Mental Health beyond Institutions. | Photo Credit: Courtesy: NHRC

The National Human Rights Commission (NHRC) is hosting a [national conference](#) on Wednesday to deliberate upon the initiatives taken by the government to address the concerns of the mental healthcare systems and raise awareness to obliterate the stigma attached to the mental health.

The conference by the National Human Rights Commission on 'Moving Mental Health Beyond Institutions' will be held at Vigyan Bhawan, and Union Minister of State for Health Bharati Praveen Pawar will be the chief guest, officials said on Tuesday.

Other stakeholders including district sessions judges, state health secretaries and commissioners, directors of all state mental healthcare institutions, mental healthcare professionals, subject experts, academicians, representatives of civil society will participate in the conference.

The aim of this conference is to deliberate upon the initiatives taken by the government to address the concerns of the mental healthcare systems and what further needs to be done for better implementation of 'Mental Healthcare Act, 2017', the NHRC said in a statement.

The conference also aims to raise awareness to obliterate the stigma attached to the mental health, it said.

In a public interest litigation, the Supreme Court vide its order dated November 11, 1997 mandated the NHRC to monitor mental hospitals in Gwalior and Agra and both hospitals in Ranchi, and to give necessary directions to these institutions from time to time, the statement said.

The Commission expanded the scope of its monitoring to the other mental healthcare institutions of the country and engaged with various stakeholders to suggest measures to the government to improve the mental healthcare system. The Commission has been focusing on bringing in

improvements in the health systems of the country, it said.

In the recent past, the Commission visited the mental healthcare institutions and hospitals in Gwalior, Agra and Ranchi. The findings of the conditions in these institutions prompted the Commission to depute its Special Rapporteurs to visit all the 47 mental healthcare institutions in various states, officials said.

"Their findings resulted in a comprehensive report on the 'Status of implementation of the Mental Healthcare Act, 2017' in the country and the related challenges. This report will be released during the conference," it said.

The Commission has also worked on a book, 'Mental Health - Concern for All: In Context of the Mental Healthcare Act, 2017' and this will also be released on the occasion, officials said.

"The book tries to incorporate significant aspects of mental health, such as the mental health of children, women, geriatric, LGBTQIA+, prison inmates; mental health and homelessness; disaster and mental health, among others. It also includes mental health policies and laws in India to make it serve the purpose of a reference book," it added.

Besides the inaugural and valedictory sessions, during the conference, the deliberations will revolve on the following four thematic areas -- challenges in implementation of the Mental Healthcare Act, 2017; infrastructure & human resource of mental health establishments – way forward; rights of persons with mental illness, including reintegration, rehabilitation & empowerment; and latest trends in critical care of mental health, international perspective and the way forward, the statement said.

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WELCOME DEVELOPMENT: THE HINDU EDITORIAL ON THE ICMR AND CONTROLLED HUMAN INFECTION STUDIES

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July 26, 2023 12:20 am | Updated 01:24 am IST

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With the Bioethics Unit of the Indian Council of Medical Research (ICMR) [placing a consensus policy statement on Controlled Human Infection Studies \(CHIS\)](#) for comments, India has taken the first step in clearing the deck for such studies to be undertaken here. CHIS, also called human challenge studies, where healthy volunteers are intentionally exposed to a disease-causing microbe in a highly controlled and monitored environment, has been carried out for hundreds of years, an example being the yellow fever study in the early 1900s to establish that mosquitoes transmit the virus. Typically, a less virulent strain of the microbe is used to study less deadly diseases that have proven drugs for treatment. They are more often undertaken on a small number of volunteers to understand the various facets of infection and disease, and, occasionally, to accelerate the development process of a medical intervention. When used as part of vaccine development, these studies are initiated only when safety and immune responses of the candidate vaccines are known through early phases of clinical testing. Importantly, human challenge studies are not done as an alternative to phase-3 efficacy trials, but to help select the best candidate for testing in a conventional phase-3 clinical trial. Phase-3 clinical trials that follow human challenge studies often require fewer volunteers, speeding up the development process. In the last 50 years, CHIS studies have been carried out with thousands to accelerate vaccine development against typhoid and cholera. During the COVID-19 pandemic, the Imperial College London used 36 volunteers to study facets of the SARS-CoV-2 infection. In 2020, the World Health Organization approved using CHIS for accelerating COVID-19 vaccine development.

There are several ethical challenges with human challenge studies, which require well-trained and robust systems in place. While collaborations with institutions and scientists well versed in conducting such studies are a must, navigating the ethical minefield is a challenge. Several clinical trials, including those by or involving the ICMR, have been mired in ethical violations, such as the Human papillomavirus (HPV) vaccine trial in Andhra Pradesh, in 2010. The ethical challenges while conducting CHIS are of a higher magnitude, the scope for misuse vast, and the repercussions severe. There is potential for exploitation, given the monetary dimension involving volunteers. If it becomes a reality, India should use CHIS only to study diseases with safe and effective treatment. Using CHIS to study novel microbes/disease with limited medical intervention should wait till Indian scientists gain expertise, and robust institutional structures and mechanisms are in place.

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BIOLOGICAL DIVERSITY AMENDMENT BILL PASSED IN LOK SABHA

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July 25, 2023 09:24 pm | Updated July 26, 2023 12:26 am IST - NEW DELHI

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Environmentalist organisations have said that the amendments to the Biological Diversity Act, 2002 were made to “solely benefit” the AYUSH (Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy) Ministry and would pave the way for “bio piracy”. File | Photo Credit: AFP

The Lok Sabha on July 25 passed the [Biological Diversity \(Amendment\) Bill, 2021](#) amidst sloganeering by Opposition Members demanding that Prime Minister, Narendra Modi make a statement on the Manipur violence.

The Bill aims to amend the Biological Diversity Act, 2002. “In the 20 years since the Act was in brought into force by the Vajpayee government, we have seen that there were problems and it was necessary to address them,” said Bhupendra Yadav, Minister for Environment and Forests and Climate Change in the Lok Sabha. “To ensure that tribes and vulnerable communities benefit from the proceeds of medicinal forest products, these amendments were necessary. By decriminalising certain activities, we are encouraging Ayurveda as well as ease of doing business.”

The amended Bill was drafted in response to complaints by traditional Indian medicine practitioners, the seed sector, industry and researchers that the Act imposed a heavy “compliance burden” and made it hard to conduct collaborative research and investments and simplify patent application processes.

The text of the Bill also says that it proposes to “widen the scope of levying access and benefit sharing with local communities and for further conservation of biological resources.”

The Bill sought to exempt registered AYUSH medical practitioners and people accessing codified traditional knowledge, among others, from giving prior intimation to State biodiversity boards to access biological resources for certain purposes.

Environmentalist organisations such as Legal Initiative for Forests and Environment (LIFE) have said that the amendments were made to “solely benefit” the AYUSH (Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy) Ministry and would pave the way for “bio piracy.” The modifications would exempt AYUSH manufacturing companies from needing approvals

from the NBA and thus will go against one of the core provisions of the Act.

The Bill decriminalises a range of offences under the Act and substitutes them with monetary penalties. It empowers government officials to hold inquiries and determine penalties.

The Biological Diversity Act, 2002 was framed to give effect to the United Nations Convention on Biological Diversity (CBD), 1992, that strives for sustainable, fair and equitable sharing of benefits arising out of the utilisation of biological resources and associated traditional knowledge. To do this, it formulates a three-tier structure consisting of a National Biodiversity Authority (NBA) at the national level, State Biodiversity Boards (SBBs) at the State level and Biodiversity Management Committees (BMCs) at local body levels. The primary responsibility of the BMCs is to document local biodiversity and associated knowledge in the form of a People's Biodiversity Register.

An analysis by the Centre for Science and Environment (CSE) and the *Down To Earth* magazine on how the Biodiversity Act was being practically implemented, pointed out serious shortcomings. There was no data available — barring a few States — on the money received from companies and traders for access and benefit-sharing from use of traditional knowledge and resources. It was unclear if companies had even paid communities despite commitments.

A Joint Parliamentary Committee was constituted on December 2021 to analyse the Amendment Bill. Congress spokesperson, Jairam Ramesh, who was a member of the committee, in a letter addressed to other members and BJP MP Sanjay Jaiswal — the committee chairperson — said that these exemptions could open the law for abuse. The final text of the Bill was sent back to the Lok Sabha by the Committee without any modifications.

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WORKSITE INTERVENTIONS LED TO REGRESSION OF HBA1C LEVELS IN 25% OF EMPLOYEE-PARTICIPANTS: STUDY

Relevant for: Developmental Issues | Topic: Health & Sanitation and related issues

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July 27, 2023 05:05 am | Updated 05:05 am IST - CHENNAI:

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A worksite intervention model — a combination of healthy eating, physical activities and relaxation techniques — has demonstrated regression of HbA1c (three months blood glucose average) to normal levels of below 5.7% in 25% of employee-participants. Drop in systolic blood pressure as well as reduction in weight and waist circumference were also found.

Releasing the findings of the country's corporate worksite report — "INDIA-WORKS" (Integrating Diabetes Prevention in Workplaces) — on Wednesday, Jeemon Panniyammakal, additional professor of Epidemiology, Sree Chitra Tirunal Institute of Medical Sciences and Technology, said one of the main indicators — glycated haemoglobin (HbA1c) values — regressed to normal optimal level in 547 of the total 2,108 employee-participants.

An average of one kg reduction in body weight, which was a big achievement at the population level, was observed, he said. At the end of two-year follow-up, on an average, there was one cm reduction in waist circumference. Despite COVID-19, the programme achieved a population average of 3mmHg reduction in systolic blood pressure that translates to a 15% to 20% reduction in hypertension, he told reporters.

The Public Health Foundation of India (PHFI), in association with Dr. Mohan's Diabetes Specialities Centre and Madras Diabetes Research Foundation (MDRF), Chennai, Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Emory University and Harvard University, U.S.A., collaborated on the study that was conducted over six years (2016-2022) across 11 worksites (steel and manufacturing plants, locomotive industry and refineries) in five States — Kerala, Tamil Nadu, Jharkhand, Chhattisgarh and Odisha — according to a press release.

A total of 6,265 employees, who volunteered, were screened in 11 worksites across the country. These were the key observations: nine of 10 participants screened were overweight or obese, nearly half of those screened were at a high risk of developing diabetes and one of three reported hypertension.

One of five reported clustering of multiple conditions together. Hypertension and diabetes were the most common coexisting conditions. "We looked at the main drivers of clustering of risk conditions. The main driver was obesity. We looked at general obesity based on Body Mass

Index and central obesity based on waist circumference,” he said.

A total of 2,108 high risk individuals were selected for the intervention. Majority of them were middle aged, with the mean age being 45. A large majority of them — 77% — were male.

“We designed a multi-pronged strategy for lifestyle intervention at the worksites...We structured lifestyle education through regular classes,” he said.

V. Mohan, chairman of the MDRF and Dr. Mohan’s Diabetes Specialities Centre, said stress levels were high and physical activity was less in worksites. “We found that 70% of the workforce were leading a sedentary lifestyle. Through this intervention programme, we found that regular physical activity improved,” he said.

The intervention had a series of 16 modules comprising several components of a healthy diet, plenty of exercises, including walking, flexibility, aerobics and relaxation through yoga and stretch exercises. “We gave them pedometers and asked them to count their steps. In sites in Chennai, they also had resistance training,” he said. Dr. Mohan said 88% of those who completed all 16 classes were able to achieve regression of HbA1C to normal levels.

D. Prabhakaran, executive director, Centre for Chronic Disease Control, New Delhi and professor, PHFI, said INDIA-WORKS programme demonstrates population average reduction in cardiometabolic risk factors such as weight, waist circumference, blood pressure and HbA1c.

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WEIGHING IN ON THE NATIONAL RESEARCH FOUNDATION BILL

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July 28, 2023 12:16 am | Updated 01:56 am IST

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'A Press Information Bureau release suggests that the NRF will have 10,000 crore for five years and thus get a total of 50,000 crore' | Photo Credit: Getty Images/iStockphoto

The scientific community in India is abuzz with curiosity and excitement after the Union Cabinet's approval of the [National Research Foundation \(NRF\) Bill 2023](#) in June this year to "strengthen the research eco-system in the country".

The Bill is to be introduced in Parliament. Once passed, it is to establish an apex body to spearhead research and development, foster a culture of innovation, and nurture a research ecosystem across all universities and colleges in the country.

Simultaneously, the Bill seeks to repeal the Science and Engineering Research Board (SERB) Act 2008, under which the SERB was established as a statutory body of the Department of Science and Technology (DST) to carry out almost the same or similar functions which the NRF proposes to do.

The idea of establishing the NRF as an independent foundation to promote and fund research was mooted by the Kasturirangan Committee in 2019 and adopted in the National Education Policy (NEP 2020). Importantly, both documents mentioned, in no uncertain terms, that the institutions currently funding research, such as the DST, the Department of Atomic Energy (DAE), the Department of Biotechnology (DBT), the Indian Council of Agricultural Research (ICAR), the Indian Council of Medical Research (ICMR), the Indian Council of Historical Research (ICHR), and the University Grants Commission (UGC), as well as various other private and philanthropic organisations, would continue to fund research according to their priorities and needs independently.

Editorial | [No quick fix: On National Research Foundation Bill](#)

The list of existing institutions funding research did not separately mention the SERB but there was no indication in the policy document that it would be abolished or subsumed into the NRF. Therefore, the scientific community had assumed that it shall, as a statutory body of the DST, continue to support and fund research as before.

To lend credence to the idea, it highlighted the point that leading research-producing nations

had multiple public and private funding agencies; further, there was no reason that India could not stand to benefit from the practice.

The idea of having multiple research funding agencies gets further reinforced by the statement that the NRF would coordinate with other funding agencies and work with science, engineering, and other academies to ensure synergy of purpose and avoid duplication of efforts.

Highlighting the lack of a conducive research ecosystem and underinvestment in research, the Kasturirangan Committee had said that the NRF would get an 'annual grant of Rs. 20,000 Crores (Rs 2 Kharab or 0.1% of GDP)'.

It did not say how long this grant would continue, but it did note that research spending in the country was a meagre 0.65% of GDP compared to 2.8% in the United States, 2.1% in China, 4.3% in Israel and 4.2% in South Korea. It expressed concern that research and innovation spending in the country had declined from 0.84% of GDP in 2008 to 0.69% in 2014.

Against this backdrop, even those who were pessimistic had felt that the proposed annual grant would continue until the research spending in the country reached the level it had been in 2008. The optimists in the community had hoped that it might continue until it reached the level of research spending in the U.S.

The NEP 2020 adopted the idea, but without any specific financial commitment. In the meantime, public and private expenditure on research and development taken together kept sliding to touch 0.64% of GDP in 2020-21 compared to 0.76% in 2011-12.

A Press Information Bureau release suggests that the NRF will have 10,000 crore for five years and thus get a total of 50,000 crore. Despite the scant details available in the public domain, it shows that the government grant or budgetary support would be at the most 14,000 crore while the remainder (36,000 crore) is to be mobilised through industry and other private philanthropic sources. This would effectively mean that the NRF would get a maximum annual grant of 2,800 crore over the next five years, a mere 14% of what the Kasturirangan Committee had recommended.

Following the repeal of its Act, the SERB will be subsumed into the NRF. The SERB was established as a statutory body of the DST to plan, promote and fund internationally competitive research in emerging areas of science and engineering. The SERB has been instrumental in building a sustainable research ecosystem 'through a diverse programme portfolio that includes grant funding, fostering young researchers, recognising and rewarding research excellence, promoting scientific networks and partnerships, and enhanced gender and social inclusiveness'.

Budgetary allocation for the SERB had steadily increased from 200 crore in 2011-12 to 1,000 crore in 2018-19. Since then, allocation declined to 742 crore in 2020-21, but again rose to 911.46 crore in 2021-22. SERB programmes, schemes and activities have been important in financing basic research in science and engineering, and most of them will continue under the NRF with some tweaking and tinkering.

It is hoped that the budgetary allocation for the NRF will not be reduced by the amount allocated for the SERB. Experience shows that when schemes are merged or subsumed into a new scheme, the allocation for the new scheme is generally lower than the total for the discontinued schemes.

The criticality of research and knowledge creation and the importance of enhancing funding for research has been amply highlighted by the New Education Policy. It insists that the economic

prosperity of many developed countries, now and in the ancient past, can be attributed to their intellectual capital and to their fundamental contributions to new knowledge in science, arts and culture. It cites India, Mesopotamia, Egypt and Greece as examples.

The NEP argues that a robust research ecosystem acquires greater importance now due to growing challenges in the world and opportunities due to technological advancements.

The policy asserts that India has had a long tradition of research and knowledge creation in science, mathematics, art, literature, phonetics, language, medicine and agriculture, which needs to be strengthened to make India a leader. These are laudable ideas and intentions, but need to be backed by ample financial support, at least to the extent the Kasturirangan Committee had insisted upon.

Furqan Qamar is former Adviser for Education in the Planning Commission and a Professor of Management at the Jamia Millia Islamia, New Delhi. He was also Secretary General of the Association of Indian Universities and Vice-Chancellor of the University of Rajasthan and the Central University of Himachal Pradesh. The views expressed are personal

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THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) AMENDMENT BILL, 2023

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- The Mines and Minerals (Development and Regulation) Amendment Bill, 2023 was introduced in Lok Sabha on July 26, 2023. The Bill amends the Mines and Minerals (Development and Regulation) Act, 1957. The Act regulates the mining sector. For regulation, the Act classifies mining-related activities into: (i) reconnaissance, which involves a preliminary survey to determine mineral resources, (ii) prospecting, which includes exploring, locating, or proving mineral deposits, and (iii) mining, the commercial activity of extraction of minerals.
- **Reconnaissance to include sub-surface activities:** The Act defines reconnaissance operations as operations undertaken for preliminary prospecting and includes: (i) aerial surveys, (ii) geophysical, and (iii) geochemical surveys. It also includes geological mapping. The Act prohibits pitting, trenching, drilling, and sub-surface excavation as part of reconnaissance. The Bill allows these prohibited activities.
- **Exploration licence for specified minerals:** The Act provides for following types of concessions: (i) a reconnaissance permit for reconnaissance, (ii) a prospecting licence for prospecting, (iii) mining lease for undertaking mining, and (iv) a composite licence, for prospecting and mining. The Bill introduces an exploration licence, which will authorise either reconnaissance or prospecting, or both activities for specified minerals.
- The exploration licence will be issued for 29 minerals specified in the Seventh Schedule. These include gold, silver, copper, cobalt, nickel, lead, potash, and rock phosphate. These also include six minerals classified as atomic minerals under the Act: (i) beryl and beryllium, (ii) lithium, (iii) niobium, (iv) titanium, (v) tantalum, and (vi) zirconium. The Bill declassifies them as atomic minerals. Unlike other minerals, the prospecting and mining of atomic minerals is reserved for government entities under the Act.
- **Auction for exploration licence:** The exploration licence will be granted by the state government through competitive bidding. The central government will prescribe details such as manner of auction, terms and conditions, and bidding parameters for exploration licence through rules.
- **Validity of exploration licence:** The exploration licence will be issued for five years. A licensee may request for extension of up to two years by making an application to the state government. The application may be made after three years of issuance of licence but before its expiry.
- **Maximum area in which activities are permitted:** Under the Act, a prospecting licence allows activities in an area up to 25 square kilometres, and a single reconnaissance permit allows activities in an area up to 5,000 square kilometres. The Bill allows activities under a single exploration licence in an area up to 1,000 square kilometres. After the first three years, the licensee will be allowed to retain up to 25% of the originally authorised area. The licensee must also submit a report to the state government stating reasons for retention of the area.
- **Submission of geological reports:** Within three months of the completion of operations or expiry of the exploration licence, the licensee must submit a geological

report regarding findings.

- **Incentive for exploration licensee:** If the resources are proven after exploration, the state government must conduct an auction for mining lease within six months of the submission of the report by the exploration licensee. The licensee will receive a share in the auction value of the mining lease for the mineral prospected by them. The share will be prescribed by the central government. If the state government does not complete auction of mining lease within the specified period, the state government will pay to the exploration licensee an amount prescribed by the central government.
- **Auction of certain minerals by the central government:** Under the Act, auction of concessions is undertaken by the state governments, except in certain specified cases. The Bill adds that auction for composite licence and mining lease for specified critical and strategic minerals will be conducted by the central government. These minerals include lithium, cobalt, nickel, phosphate, potash, tin, phosphate, and potash. However, concessions will still be granted by the state government.

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THE NATIONAL NURSING AND MIDWIFERY COMMISSION BILL, 2023

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- The National Nursing and Midwifery Commission Bill, 2023 was introduced in Lok Sabha on July 24, 2023. It repeals the Indian Nursing Council Act, 1947. The Bill provides for the regulation and maintenance of standards of education and services for nursing and midwifery professionals. Key features of the Bill are:
- **National Nursing and Midwifery Commission:** The Bill provides for the constitution of the National Nursing and Midwifery Commission. It will consist of 29 members. The chairperson should have a postgraduate degree in nursing and midwifery and have at least 20 years of field experience. Ex-officio members include representatives from the Department of Health and Family Welfare, National Medical Commission, Military Nursing Services, and the Directorate General of Health Services. Other members include nursing and midwifery professionals, and one representative from charitable institutions.
- **Functions of Commission:** Functions of the Commission include: (i) framing policies and regulating standards for nursing and midwifery education, (ii) providing a uniform process for admission into nursing and midwifery institutions, (iii) regulating nursing and midwifery institutions, and (iv) providing standards for faculty in teaching institutions.
- **Autonomous boards:** The Bill provides for the constitution of three autonomous boards under the supervision of the National Commission. These are: (i) the Nursing and Midwifery Undergraduate and Postgraduate Education Board, to regulate education and examination at undergraduate and postgraduate levels; (ii) the Nursing and Midwifery Assessment and Rating Board, to provide the framework for assessing and rating nursing and midwifery institutions; and (iii) the Nursing and Midwifery Ethics and Registration Board, to regulate professional conduct and promote ethics in the profession.
- **State Nursing and Midwifery Commissions:** Every state government must constitute a State Nursing and Midwifery Commission where no such Commission exists under state law. It will consist of 10 members. The members will include representatives from the health department, from any nursing or midwifery college of the state, and nursing and midwifery professionals.
- Functions of the State Commission include: (i) enforcing professional conduct, code of ethics and etiquette, (ii) maintaining state registers for registered professionals, (iii) issuing certificates of specialisation, and (iv) providing for skill-based examination. Appeals against decisions taken by state commissions may be filed with the Ethics and Registration Board. Decisions taken by the Board will be binding on the State Commission unless a second appeal is filed with the National Commission.
- **Establishment of nursing or midwifery institutions:** Permission of the Assessment and Rating Board would be needed to establish a new nursing and midwifery institution, increase the number of seats, or start any new postgraduate course. The Board must decide on the proposals within six months. In case of disapproval, an

appeal can be made to the National Commission and a second appeal can be filed with the Central Government.

- **Practicing as a professional:** The Ethics and Registration Board will maintain an online Indian Nurses and Midwives' Register, containing the details and qualifications of professionals and associates. Individuals must be enrolled in the National or State Register to practice nursing or midwifery as qualified professional. Failure to comply may result in imprisonment of up to one year, a fine of up to five lakh rupees, or both.
- **Advisory Council:** The central government will also establish the Nursing and Midwifery Advisory Council. The chairperson of the National Commission shall be the chairperson of the Council. Other members include representatives from each State and Union territory, Ministry of Ayush, the University Grants Commission, the National Assessment and Accreditation Council, the Indian Council of Medical Research, and nursing and midwifery professionals. The Council will provide advice and support to the National Commission in matters concerning nursing and midwifery education, services, training, and research.

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NATIONAL HEALTH AUTHORITY LAUNCHES 100 MICROSITES PROJECT ACROSS THE COUNTRY

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A file photo of a stethoscope and a man working on a laptop. National Health Authority (NHA) launched 100 microsites projects under Ayushman Bharat Digital Mission (ABDM) on July 28, 2023. Image for representational purposes only. | Photo Credit: The Hindu photo library

National Health Authority (NHA) has launched 100 microsites project under Ayushman Bharat Digital Mission (ABDM) on Friday. These microsites shall be a cluster of small and medium-scale clinics, nursing homes, hospitals with less than 10 beds, laboratories, pharmacies, and other healthcare facilities that are ABDM-enabled and offer digital health services to patients.

These microsites would be established across the country in various States/UTs, majorly implemented by State mission directors of Ayushman Bharat Digital Mission while the financial resources and overall guidance would be provided by NHA.

The microsites aim to establish a small ecosystem within a particular geographic area where there is complete ABDM adoption, and the entire patient journey is digitised.

In May this year, NHA released operational guidelines for the nationwide activation of microsites.

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Human challenge studies are carried out to understand the various facets of infection and disease pathogenesis. File | Photo Credit: AP

The story so far:

On July 17, the [ICMR Bioethics Unit posted](#) the [consensus policy statement](#) for the ethical conduct of controlled human infection studies (CHIS), also known as human challenge studies, in India. The consensus policy statement has been posted on the Indian Council of Medical Research (ICMR) website for public consultation for a period of one month, from July 17 to August 16, 2023.

Human challenge studies, in which human beings are exposed to diseases to learn more about it, have been carried out for hundreds of years; the yellow fever study in the early 1900s, for instance, established that mosquitoes transmitted the yellow fever virus. However, India has not undertaken such trials before and will be collaborating with scientists and institutions outside India who have been conducting such studies.

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Human challenge studies are almost always conducted to understand the various facets of infectious microbes and the diseases or conditions caused by such pathogens. The disease burden and mortality from infectious diseases is significantly high at around 30% in India. Though traditional human clinical trials have been carried out in the country for a very long time, the inclusion of human challenge studies will help supplement traditional clinical studies and speed up the process of finding safe and effective interventions in the form of drugs and/or vaccines. Most importantly, human challenge studies will vastly help in providing better insight into multiple aspects of even well-studied pathogens, infection, transmission, disease pathogenesis and prevention. Since many infectious diseases are endemic in several developing countries, and resistance to existing drugs is increasing, there is a pressing need to find more effective medical interventions; human challenge studies may offer more benefits to people in these countries. Many countries, including low-and middle-income countries such as Colombia, Kenya, Tanzania and Thailand, have carried out human challenge studies.

The fundamental difference between the two scientific methods is the nature of exposure to pathogens by participants during the conduct of the studies. While participants in traditional clinical trials are strongly advised to adopt and adhere to safety measures to avoid getting

infected and any exposure to the microbes and infection arising in the participants from such an exposure is left to chance and infection is left to chance, the opposite is the case with human challenge studies. Volunteers in a human challenge study, as the name indicates, are deliberately exposed to disease-causing pathogens.

The second major difference is that traditional clinical trials are undertaken to study the safety and efficacy of drugs and vaccines, whereas human challenge studies are carried out to understand the various facets of infection and disease pathogenesis besides selecting the best candidate drug or vaccine. The third difference is that while the adverse effects of the candidate drugs or vaccines are not known in both the studies (safety is evaluated for the first time in humans during the phase-1 stage of a traditional trial), volunteers in a human challenge trial face an additional risk when deliberately exposed to the pathogen. Finally, human challenge studies are often undertaken to study “less deadly diseases” such as influenza, dengue, typhoid, cholera and malaria, unlike in traditional clinical studies.

Except in very rare cases, as in the SARS-CoV-2 virus that causes COVID-19, the infectious agents that are tested in human challenge studies are well-known and studied. To reduce harm to the participants, a weaker or less virulent form of the pathogen is used. The other important requirement is the availability of a ‘rescue remedy’ to prevent the disease from progressing to its severe form. An exception was the reliance on remdesivir as a rescue remedy for participants in the studies involving SARS-CoV-2 virus even when the substantial mortality benefit of remdesivir was not known.

That participants in a human challenge trial are deliberately exposed to a disease-causing pathogen makes it ethically more challenging. The ICMR consensus statement has clearly mentioned that only healthy individuals in the 18-45 years age bracket are to be enrolled. Children and women who are pregnant, lactating or planning to conceive within the study period will not be enrolled; children will be included when “deemed appropriate”, says the statement. Participants with pre-existing medical conditions are to be excluded but very often people are unaware of many medical conditions. This makes it essential to carry out detailed medical examination of the participants before enrolment. According to the consensus statement, information on payment for participation should be mentioned in the consent form but the exact amount of payment for participation is to be revealed “only after the volunteer has consented to participate”. It is left to the investigators to not reveal the payment before the participant gives his or her informed consent. Assured payment (even when the amount is not revealed) over and above reimbursement of the expenses may serve as an inducement and, in turn, to exploitation. Enticing people to participate by advertising the amount of money that volunteers will be paid is quite common in traditional clinical trials, as was seen in the Covaxin trial conducted in Bhopal.

Like the SARS-CoV-2 virus infection that remains asymptomatic in some people while leading to death in others, the disease state in an individual cannot be 100% predicted even when a less infectious agent is used. This makes the availability of an effective rescue remedy important. It remains to be seen how “informed” will be the informed consent, especially when the pathogen is studied in specific age groups such as children or disadvantaged groups, given the riskier nature of human challenge trials and the compulsion to get people enrolled in the new research methodology. The HPV vaccine trial in 2010 became notorious as informed consent requirements were flagrantly violated, as also during the Covaxin trial in Bhopal in 2020-2021.

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