

## 7 PM COMPILATION

1<sup>st</sup> to 15<sup>th</sup> May, 2022

### Features of 7 PM compilation

- ❖ Comprehensive coverage of a given current topic
- ❖ Provide you all the information you need to frame a good answer
- ❖ Critical analysis, comparative analysis, legal/constitutional provisions, current issues and challenges and best practices around the world
- ❖ Written in lucid language and point format
- ❖ Wide use of charts, diagrams and info graphics
- ❖ Best-in class coverage, critically acclaimed by aspirants
- ❖ Out of the box thinking for value edition
- ❖ Best cost-benefit ratio according to successful aspirants

Rising Frequency of Landfill Fires – Explained, pointwise

**Topic:- Disaster Management**

**Sub topic:- Disaster and disaster management.**

Pendency of Cases of Constitutional Importance – Explained, pointwise

**Topic:- Indian Constitution and Polity**

**Sub topic:- Structure, organization and functioning of the Executive and the Judiciary**

Doubling Farmers' Income: Initiatives, Status, Challenges – Explained, pointwise

**Topic:- Economic development**

**Sub topic:- Transport and marketing of agricultural produce and issues and related constraints**

Death Penalty in India – Explained, pointwise

**Topic:- Social Justice**

**Sub topic:- Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of vulnerable sections.**

India France Relationship – Explained, pointwise

**Topic:- International Relations**

**Sub topic:- Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests.**

The Debate Regarding Abortion – Explained, pointwise

**Topic:- Social Justice**

**Sub topic:- Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of vulnerable sections.**

Delimitation in J&K – Explained, pointwise

**Topic:- Indian Constitution and Polity**

**Sub topic:- Issues and challenges pertaining to the federal structure**

The Issue of COVID-19 Deaths in India – Explained, pointwise

**Topic:- Social Justice**

**Sub topic:- Issues relating to development and management of Social Sector/Services relating to Health**

Fall in Wheat Production and Procurement: Reasons and Impacts – Explained, pointwise

**Topic:- Economic development**

**Sub topic:- Transport and marketing of agricultural produce and issues and related constraints**

RBI Report on Currency and Finance – Explained, pointwise

**Topic:- Economic development**

**Sub topic:- Indian Economy and issues relating to planning, mobilization, of resources, growth, development and employment.**

The Issue of Marital Rape – Explained, pointwise

**Topic:- Social Justice**

**Sub topic:- Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of vulnerable sections.**

High Inflation: Impact and the Policy Response – Explained, pointwise

**Topic:- Economic development**

**Sub topic:- Indian Economy and issues relating to planning, mobilization, of resources, growth, development and employment.**

## Rising Frequency of Landfill Fires – Explained, pointwise

### Introduction

The massive fire that broke out at the Bhalswa landfill site in Delhi on April 26 has not been completely dozed off yet. The residents, staying near the landfill have informed the Delhi Commission for Women (DCW) that poisonous fumes are entering their homes which are causing breathing problems. A police complaint has also been filed by those residing near the Bhalswa landfill site. The Delhi Government has directed the Delhi Pollution Control Board (DPCC) to impose a 50 lakh rupees fine on North Delhi's civic body for being negligent and not taking proper steps to prevent the fire at the Bhalswa landfill. This is only a short term measure while a long term remedy demands that the nation reduces the size and number of landfills.

### What is a Landfill?

A landfill site, also known as rubbish dump, garbage dump, or dumping ground, is a site for the disposal of waste materials. It is the oldest and most common form of waste disposal. US Environmental Protection Agency (EPA) has established specific guidelines regarding creation and management of the Landfills. In India, landfills are managed under the new Solid Waste Management Rules (SWM), 2016. However, many of the guidelines are not adhered to. e.g., Bhalswa landfill is right next to the Bhalswa lake. However, the SWM Rules 2016 mandate that the landfill site shall be 100 metres away from a river, 200 metres from a pond, 500 metres away from highways, habitations, public parks and water supply wells and 20 km away from airports/airbase.

### What are some of the recent incidents of fire in Landfills?

**Ghazipur landfill fire:** Three incidents of fire have been reported this year at **east Delhi's Ghazipur landfill** site, including one on March 28 which was doused after over 50 hours.

**Bhalswa landfill fire:** The massive fire that broke out at the Bhalswa landfill began on April 26 evening.

**Perungudi dump yard fire:** A major fire broke out at Perungudi dump (Chennai) on April 27 afternoon.

**Dadumajra landfill fire:** A fire also broke out at Chandigarh's Dadumajra dumping ground on April 5.

### What are the reasons behind frequent landfill fires?

**First**, Landfills are the largest source of methane emissions which are highly **flammable in nature** and play a large role in the ignition of landfill fires. The decomposition of waste is largely anaerobic in a landfill, which results in the production of large quantities of methane and carbon dioxide.

**Second**, surface fires at dumpsites are also caused by **equipment related factors**. This includes debris trapped under machines, heat from equipment (exhaust pipes) and welding.

**Third**, fires are also a result of **human factors**. Waste pickers who scavenge the waste may inadvertently start a fire by smoking in the landfill.

**Fourth**, the **temperature of a region** also aids in fire generation. For instance, the ongoing heat wave in Delhi enhanced the probability of fire in a landfill.

**What are the problems caused by landfill fires?**

**Environmental impact:** Fire at the Bhalswa landfill site churned out dense plumes of smoke and turned the sky hazy grey leading to air pollution. Further, there is a release of large amount of GHG gasses.

**Health impact:** It causes health ailments in residents living nearby the landfill like sore throat, itchy eyes and breathing problems.

**Transportation:** A thick layer of smoke caused by fire impairs the visibility of commuters. For instance, Vehicles traveling on the Pallavaram–Thoraipakkam 200 feet radial road (near Perungudi dumpyard) have been experiencing poor visibility since the onset of fire.

**School Closure:** It also impacts the nearby schools in the vicinity which are forced to shut temporarily in wake of children's health.

**Why is it difficult to douse off a landfill fire?**

The unscientific construction of a landfill site and their mammoth size makes it very difficult for the firemen to douse off fire quickly.

Further, multiple ignition points, lack of constant water supply, and the danger involved in climbing steep garbage mounds enhances the total time to extinguish a landfill fire.

**What is the need to recover Landfills?**

**Economic benefits:** At present there are 48 recognised landfills in India. They collectively occupy nearly 5000 acres of land (few of them are in prime locations) and are worth about Rs 100,000 Crore.

**Overcapacity of Landfills:** It is also important to note that most of the landfills of megacities have already reached their maximum capacity and permissible height limit of 20 meters. For example, Delhi's oldest Ghazipur landfill and Asia's largest dumping ground, Deonar in Mumbai, continues to accumulate waste despite the Supreme Court's order regarding closure of these landfills.

**Source for Pollution:** The untreated waste is the source of environmental pollution. For example, Leachate (black liquid oozing out from the waste) contaminates soil and groundwater.

**Disasters:** The release of methane from the decomposition of biodegradable waste under anaerobic conditions can cause fires and explosions. The incidence of fire is particularly high during summers. For example, frequent fires in the Deonar landfill in Mumbai and the Bhalswa landfill in Delhi.

**Health Impacts of landfills:** Uncontrolled burning of waste releases fine particles which are a major cause of respiratory disease and cause smog. Dumping sites provide breeding sites for mosquitoes thus increasing the risk of diseases such as malaria and dengue.

**What are the reasons for growth of landfills in India?**

**Rising demand for Plastic:** The rising urbanization and growing consumer culture in cities has enhanced the demand of packaged goods that has resulted in more plastic usage. This plastic gets dumped in landfills and increases their height. For instance, the landfill in Bhalswa in the city's north is taller than a 17-storey building and covers an area bigger than 50 football fields.

**Lack of Capacity:** At present, India only has 1604 solid waste treatment plants to treat waste. capacity. These plants are not enough to treat the huge quantum of waste generated in the country which in turn leads to landfill creation.

**Corruption:** There exists a substantial degree of corruption in Municipal bodies and in many places a nexus between garbage mafia and government officials is also witnessed.

**Read More:** [Legacy Waste management in India – Explained Pointwise](#)

#### What corrective steps can be undertaken?

**First, proper disciplinary action** should be taken against officials who are responsible for management of municipal waste in the area. This will set a good precedent for future.

**Second,** State governments should **provide adequate funds to local bodies** so that they can take requisite measures to tackle the creation of giant landfills.

**Third,** States must also **learn from good practices of each other** to tackle the menace of landfills. For instance, the Delhi Government has agreed to study a system installed in Mumbai to capture methane from the rotting waste and replicate it in the national capital to prevent fires at the landfill site.

**Fourth,** India also has to **develop skilled and trained professionals** to operate and maintain the entire waste management chain. Right from the collection, operation and maintenance of waste-handling plants.

**Fifth,** there should be **proper implementation of Solid Waste Management and Plastic Waste Management Rules** so that less waste flows into landfills.

**Sixth,** the idea of a **circular economy** should be promoted in masses. Further, the government should do greater procurement of recycled goods for itself in order to incentivise the private sector.

#### Conclusion

The menace of landfills is a result of decades of poor solid waste management practices adopted by the Governments and the masses. The rising number of landfill fires is a testimony to the huge magnitude of damage that a big landfill site can cause to the citizens. It is therefore imperative to take proactive measures towards their reduction and help in achievement of **SDG 15** i.e Life on Land.

Source: [Mint](#), [Mint](#)

### Pendency of Cases of Constitutional Importance – Explained, pointwise

#### Introduction

Throughout history, the Judgments of the Constitution Benches have shaped the idea of India in immeasurable ways. They have decided on issues that range from the law on personal liberties (*Maneka Gandhi v Union of India*) to how territorial boundaries of India's states should be demarcated (In re: Berubari Union). However, the number of Constitution Benches being constituted by the Supreme Court has drastically decreased over the decades. The Supreme Court constituted an average of about 100 five-judge or larger benches a year in the 1960s. This had decreased to only 9 a year by the first decade of the 2000s. The pendency of cases of

Constitutional importance has reached a historically high level along with the overall pendency of cases before the Supreme Court.

### What is a Constitution Bench?

Under Article 145(3) of the Constitution, the Supreme Court of India forms Constitution Benches to adjudicate on matters **'involving a -substantial question of law as to the interpretation of the Constitution'**.

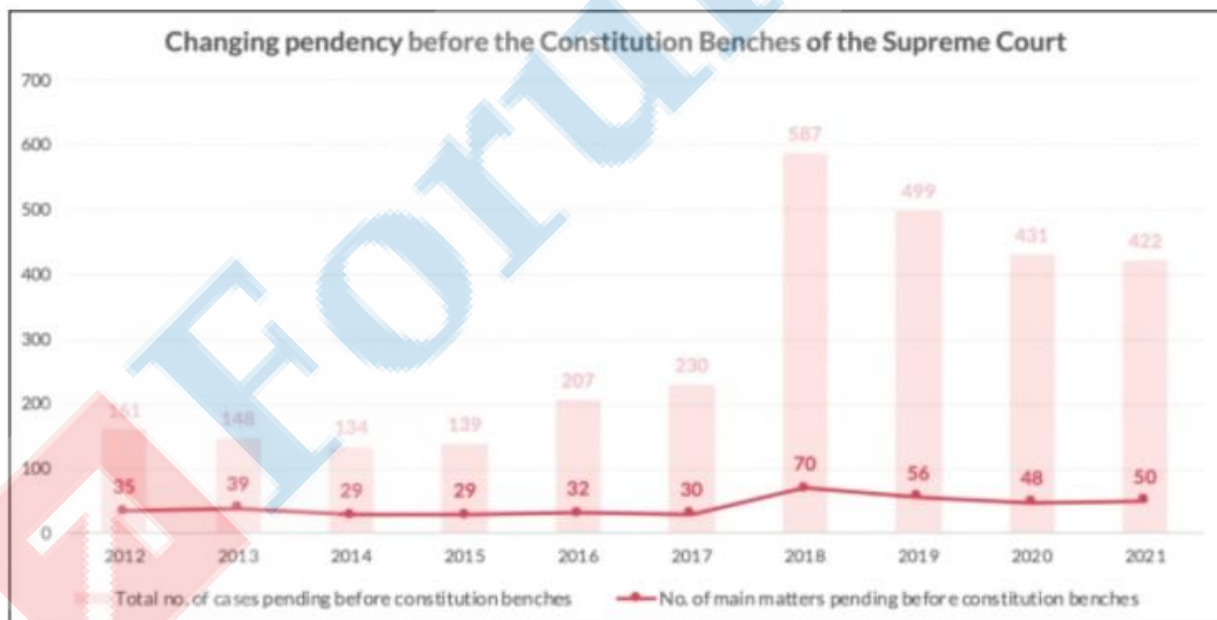
These Benches may comprise five or more Judges, and are charged with adjudicating the most significant Supreme Court matters.

### What is the status of pendency of cases of Constitutional Importance?

The **Vidhi Centre for Legal Policy** has developed a comprehensive tracker of all the pending cases before the 5-judge, 7-judge, and 9-judge Constitution benches of the Supreme Court.

According to this tracker, there are 25 **main cases** pending before the 5-judge constitution bench and 5 cases each pending before the 7-judge and 9-judge benches. These cases relate to **significant constitutional and other legal matters** that can have serious repercussions on the fundamental rights of ordinary citizens and the core democratic values. There are another 500+ cases related to these main cases that are pending before the Supreme Court.

Some of these cases have been pending for a long time. For example, the 5 main cases pending before the 9-judge Benches of the Supreme Court have been pending for an average of 7,804 days (> 21 years), and these 5 cases affect the fate of 130 other connected matters.



Source: Vidhi Centre for Legal Policy

### What are some of the pending cases of Constitutional Importance?

The **oldest pending case** before a Constitution Bench is the case of *Central Board of Dawoodi Bohra Community v. State of Maharashtra*. It has been pending since February 28, 1986 (13,135

days or ~36 years). The case also has one tagged matter that has been pending for **over 31 years**. (Pending before a 5-Judge bench).

Case pertaining to the **constitutional validity of the Constitution (One Hundred and Third Amendment) Act, 2019** is also pending. It empowers governments to provide reservations to economically weaker sections for admission to educational institutions and appointments in services to a maximum of 10%.

**Other important cases include:** (a) *Sabarimala* Review, which is meant to address the entire body of law regarding how religious freedom cases are decided; (b) Constitutionality of the Citizenship (Amendment) Act, 2019, that provides non-Muslim communities from Bangladesh, Pakistan, and Afghanistan a fast-track route to Indian citizenship; (c) The definition of 'industry' under Section 2(j) of the Industrial Disputes Act, 1947; (d) The conflict between legislative privileges and the freedom of the press; (e) The classification of the Finance Act, 2017 as a Money Bill; (f) Validity of Electoral Bonds; (g) Pleas challenging abrogation of Article 370 in J&K; (h) The appointment of Election Commissioners.

### What is the need to resolve the pendency of cases?

**Pendency Reduction:** The Constitutional Bench cases have main matters as well as many connected matters. Disposal of them would help in bringing down the overall pendency of cases in Supreme court. For instance, disposing of the ***Sabarimala case* (*Kantaru Rajeevaru v. Indian Young Lawyers Association*)** will dispose of 64 connected matters. Similarly, disposing of ***Mineral Area Development Authority etc. v. M/S Steel Authority*** (Does royalty mean tax?) will dispose of 80 connected matters.

**Judicial Credibility:** Speedy disposal would help in enhancing the credibility of judiciary in masses and allow it to duly play its role of the Custodian of Constitution.

**Maintain Federal Equilibrium:** Resolution of cases like revocation of Article 370 would give more clarity on the extent of power exercised by Union over State governments (especially when A 356 is imposed). It will ensure maintenance of federal equilibrium.

**Protecting the Democratic Structure:** Free and Fair Elections are the lifeblood of democracy which can be ensured only when the mystery over legality of instruments like Electoral bonds is settled by the Supreme Court.

**Ensuring Accountability:** Issues around the federal structure, elections, and many others, all involve questions of power and accountability. The longer the courts take to resolve such cases, the more we move from a realm of accountability to a realm of impunity.

### What are the reasons behind the pendency of cases before Constitution Benches?

**Slow Disposal Rate vis-a-vis Institution Rate:** Even though the Court is disposing of cases, it is not able to keep up with the inflow of new cases. Further, there has been a rise in the number of connected matters attached with main matters.

**Time Crunch:** The Supreme Court functions both, a Court of Appeal as well as a Constitutional Court. The decades since 1970 have seen the appeal function steadily cannibalize the judicial time of the Court. Between 1950-54, ~15% of the cases decided by the Supreme Court were decisions of Constitution Benches. This figure had reduced to 0.12% between 2005-09. In 2021, there were only 3 Judgments by Constitution Benches.



**Lack of Will:** In many cases, Judges lack the will to solve the case in an expeditious way. They prefer adjournments and very few are willing to work for extended hours for quick resolution.

**No decision on merits:** A Constitution Bench can decide on the question of law but a decision on the merits, for the main and connected cases, might be pending. This enhances pendency before the Constitution Bench.

**Identification issues:** There is an incoherent understanding of what constitutes a 'main case' by the Supreme Court. While the Supreme Court case status might identify a particular one, the response to the RTI application might identify multiple others as distinct cases. Issues of tagging, re-tagging and cross-tagging of cases, also further complicates these numbers.

### **What steps should be taken to reduce the pendency of cases of Constitutional importance?**

**First**, the immediate need is for the Supreme Court to conduct a thorough and targeted assessment of the number of cases pending before it and comprehensively identify the set of pending issues.

**Second**, the government should also consider **enhancing the overall strength of judges** in the Supreme court for reducing the burden on an individual judge. The current sanctioned strength is 34 that can be enhanced for reducing the burden.

**Third**, a **consensus over memorandum of procedure** should also be built between the executive and judiciary. This will ensure timely appointment of Supreme Court judges especially when 8 SC judges are going to retire in 2022.

**Fourth**, there could be a reconsideration of the duration of SC's vacation. For example, the court worked for 179 days and was on vacation for 61 days, excluding public holidays and weekends in 2016. Any reduction in vacation can help in pendency reduction.

**Fifth**, the Government and Judiciary can also consider **setting up a National Court of Appeal** and leave only constitutional matters to the Supreme Court.

**Sixth**, in order to **reduce the overall pendency of cases**, focus should be on establishing more courts and making them virtual where necessary. Further there should be settling of disputes without litigation by strengthening the **Alternative Dispute Resolution [ADR]** mechanism.

### **Conclusion**

It is high time to take proactive measures for augmenting the capacity of the Supreme Court. This would help in speedy disposal of cases and reduce the growing magnitude of pendency of cases of Constitutional importance. Work must be done keeping in mind that 'Justice Delayed is Justice Denied'.

Source: [The Hindu](#), [The Hindu](#), [Bar and Bench](#), [Vidhi Centre for Legal Policy](#)

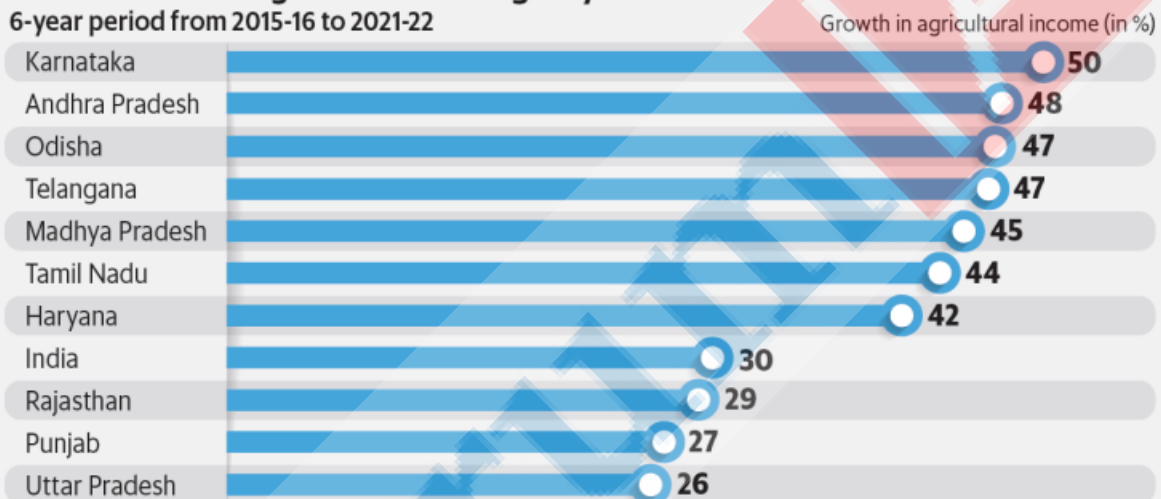
**Doubling Farmers' Income: Initiatives, Status, Challenges – Explained, pointwise**

**Introduction**

In 2016, the Government had set the target of doubling farmers' income by 2022-23. To achieve this goal, the government had set up a committee to recommend changes to all parts of the agricultural production and supply chain. The Committee listed its recommendations in a 14-volume report. At the time, by the government's own calculations, a farming household in India earned an average of INR 8,059 per month, or about INR 97,000 per year. The Government is likely to miss the target as less than a year remains in the timeline. No individual state is likely to achieve it either.

**TOUGH ASK**

**Chart 1: The doubling farm income target by 2022-23 will elude all states**  
6-year period from 2015-16 to 2021-22



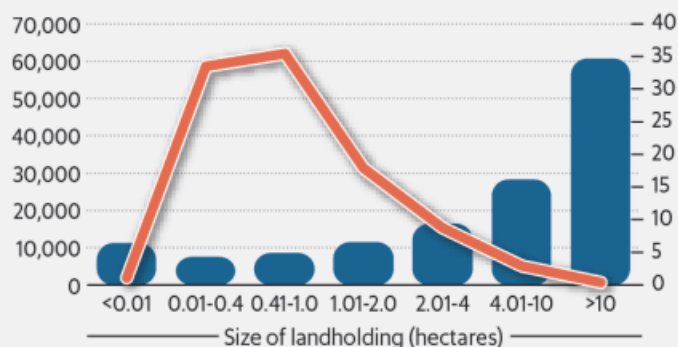
**5-year period from 2015-16 to 2020-21**



**Chart 2: About 90% of Indian farmers have a landholding of below 2 hectares**

■ Average monthly income (in ₹)  
— Share of households (in %) (right-hand scale)

Source: Situation Assessment of Agricultural Households and Land and Holdings of Households in Rural India, 2019. NSS 77th round



Source: Live Mint

### What were the recommendations of the Dalwai Committee?

The Government had constituted an Inter-ministerial Committee in April, 2016 to examine issues relating to 'Doubling Farmers' Income' (DFI) under the leadership of **Ashok Dalwai**. The Committee had submitted its Report to the Government in September, 2018 containing the strategy for doubling farmers' income by the year 2022. The DFI strategy as recommended by the Committee include seven sources of income growth – **(a)** Improvement in crop productivity; **(b)** Improvement in livestock productivity; **(c)** Resource use efficiency or savings in the cost of production; **(d)** Increase in the cropping intensity; **(e)** Diversification towards high value crops; **(f)** Improvement in real prices received by farmers; **(g)** Shift from farm to non-farm occupations.

The latest round of the Situation Assessment Survey carried out by the National Statistical Organisation (NSO) had pegged the average monthly income of farmers at Rs 10,281. Even with inflation-adjusted, this turns out to be roughly about 20% more.

### What steps have been taken for doubling farmers' income?

**Pradhan Mantri Kisan Samman Nidhi (PM-KISAN):** The scheme provides a payment of Rs. 6000/- per year, in three 4-monthly installments of Rs. 2000/- to the farmers' families.

**Read More:** [PM-KISAN](#)

**Pradhan Mantri Kisan Man Dhan Yojana (PM-KMY):** Under this Scheme, a minimum fixed pension of Rs. 3000/- will be provided to the eligible small and marginal farmers, subject to certain exclusion clauses, on attaining the age of 60 years.

**Pradhan Mantri Fasal Bima Yojana (PMFBY):** It was launched from the Kharif 2016 season. This scheme provides insurance cover for all stages of the crop cycle including post-harvest risks in specified instances, with low premium contribution by farmers.

**MSP increase:** The Government has approved the increase in the Minimum Support Price (MSPs) for all Kharif & Rabi crops for 2018-19 season at a level of **at least 150 percent** of the cost of production.

**Pradhan Mantri Annadata Aay Sanrakshan Abhiyan (PM-AASHA):** The Scheme is aimed at ensuring remunerative prices to the farmers for their produce as announced in the Union Budget for 2018.

**Atma Nirbhar Bharat Package for Agriculture:** It includes comprehensive market reforms and creation of 'Agricultural Infrastructure Fund (AIF) worth Rs. 1 lakh crore.

### What are the hurdles in doubling farmers' income?

**Decreasing Profitability in agriculture sector:** Profitability has been declining in recent years due to plummeting agricultural prices and rising cultivation costs. Recently, prices of critical inputs such as fuel and fertilizers have risen sharply as well. Further there have been issues in land and labour productivity on farms, post-harvest processing, agricultural research and extension, among others.

**Web of Middlemen:** There exists a strong web of intermediaries that enjoy maximum profit and leaves bare minimum revenue for the farmers. A major share of the income is cornered by the middlemen.

**Policy Lacunae:** According to many experts, the policies to achieve the growth rates have not been clearly articulated by the Centre to the states. This becomes extremely crucial considering agriculture is a State subject. In addition, there have been issues in the implementation of policy initiatives. For example, many States have opted out of PMFBY due to implementation issues.

**Read More:** [About PMFBY: India's facade of agricultural insurance](#)

**Impact of Extreme Events:** The drought of 2015 and the impact of demonetisation (2016) on farming made the targets all the more difficult to achieve.

**Unrealistic Target:** The Government had targeted to raise the farmer's income by a staggering 10.4% in real terms in between 2015-16 and 2022-23. However, this was highly improbable considering the preceding growth rates had been around 3.5% per year.

Between 2015-16 and 2021-22, the agricultural incomes have grown by only about 30% after adjusting for inflation. Agricultural incomes would have to grow by around 54% in 2022-23 for farm incomes to double from 2015-16 levels in real terms. Hence, it appears near impossible to achieve the target of doubling farmers' income by the end of this fiscal.

**Read More:** [Declining farm income: Reasons and solutions – Explained, pointwise](#)

#### What more steps can be taken?

**First**, the Union Government needs to lay down a **clear roadmap to wean farmers away from rice and wheat** towards more lucrative, high-value crops. For this, the government should do greater MSP procurement of millets and educate the masses about their higher nutritional value in comparison to rice.

**Second**, there should be a focus on developing **robust food processing industries** in every state that will help in boosting farmers income. For instance, Gujarat has one of the largest potato processing industries. The income of potato farmers has nearly trebled in recent years.

**Third**, considering more than 86% of farmers are small and marginalized, measures of **boosting alternative income** like beekeeping, agro forestry etc. should be promoted.

**Fourth**, there is a need to **attract youth into agriculture** by duly implementing schemes like ARYA and providing good agriculture education. The participation of youth will help in reducing the uncertainties associated with farming by **acting as a bridge** between state of art solutions and traditional farmers.

Fifth, the **broader measures specified by the DFI Committee** and the associated reforms must be carried out.

**Sixth, cooperative farming should be promoted.** This will allow farmers to take advantage of economies of scale, do better risk management and enjoy a greater bargaining power. The success of AMUL is a classic example of the benefits enjoyed by cooperative farming.

**Seventh**, at present, Agriculture sector contributes 15% to India's economy while employing > 40% of the workforce. Farm Incomes will be very difficult to improve without reducing the burden of population on agriculture. India must learn lessons from countries like China, Vietnam etc. that improved the situation of their agriculture sector **by creating sufficient jobs in industries and services sector.** This allowed many agriculture labourers and small landholders to shift in new vocations and reduce the burden on agriculture.

**Conclusion**

Based on the findings of the latest Situational Assessment Survey of NSO, it should be prudent to expect doubling farmers' income in 3-4 years beyond 2022-23. Although the Government is likely to miss the target, efforts should continue towards improving incomes and addressing farm and rural distress.

**Source:** [Mint](#), [Business Standard](#), [Financial Express](#), [PIB](#)

**Death Penalty in India – Explained, pointwise****Introduction**

The recent news on Balwant Singh Case has once again brought the issue of death penalty to the limelight. The Supreme Court has extended the deadline (of April 30) by two months for the Centre to make a decision on Balwant Singh Rajoana's mercy petition. His mercy petition has been pending since 2012. Balwant Singh has spent 15 years on death row out of the total 27 years of his incarceration. The State hasn't executed him even after the death sentence and is constantly delaying his mercy plea, making him undergo an undefined period of imprisonment coupled with a fear of future execution.

**What is the background of the case?**

Balwant Singh was awarded death sentence in 2007. He was one of the main accused of assassination of former Chief Minister of Punjab Beant Singh in 1995. A mercy petition was submitted by the Shiromani Gurdwara Parbandhak Committee (SGPC) on his behalf in 2012. The President of India is to decide the fate of the petition after receiving a proposal from the Union government.

**What are the kinds of punishment awarded for Crimes in India?**

**Section 53** of the Indian Penal Code, 1860 prescribes 5 kinds of punishments that can be awarded to criminals. This includes:

**Death Penalty:** Under this punishment, a person is hanged till he dies. Death penalty is prescribed in certain IPC offences like Waging war against the Government of India (Sec 121), Murder (Sec 302) etc. Provision of Death Penalty is also there for some offences covered under certain other Acts like the Army Act (1950), BSF Act (1968), Defense of India Act (1971), NDPS Act (1985), POCSO Act (2012, as amended in 2019) etc. It is awarded in the 'rarest of rare cases'.

**Life Imprisonment:** In its ordinary connotation imprisonment for life means imprisonment for the whole of the remaining life period of the convicted person's natural life.

**Imprisonment (Simple or Rigorous):** Simple imprisonment is a punishment in which the offender is confined to jail only. He is not subjected to any hard labor. In rigorous imprisonment, a person is put to hard labor such as digging, cutting wood etc.

**Forfeiture of Property:** The State seizes the property of a criminal. The property forfeited may be movable or immovable.

**Fine:** The State can also impose a monetary punishment on a criminal.

### What is the current status of Death Penalties awarded in India?

The number of prisoners on death row at the end of 2021 stood at 488, the highest in 17 years, according to the Death Penalty in India Report. According to the report, while trial courts imposed a total of 144 death sentences in 2021, High Courts decided only 39 matters in the same period. The Supreme Court, despite listing death penalty cases on priority in September last year, decided only 6 cases in 2021 compared to 11 in 2020 and 28 in 2019.

### What is the Judicial view on Death Penalty?

**Ediga Anamma v. the State of Andhra Pradesh, (1974):** The Supreme Court (SC) laid down the principle that life imprisonment for the offence of murder is the rule and **capital punishment is the exception in certain cases**. The Court also stated that a special reason should be given if a court decides to impose a death sentence.

**Bachan Singh v. the State Of Punjab, (1980):** The SC stated that the death penalty should be awarded only in 'rarest of rare' cases. A case becomes rarest of rare when there is **extreme culpability of the offender** in committing the offence of murder; and an extreme cause of the offender in committing the offence of murder. The Supreme Court stated that it should be issued only when the alternative of a life sentence is 'unquestionably foreclosed'. The death penalty should be awarded after seeing the **aggravating and mitigating factors** and balance of the same.

**Aggravating Factors:** Pre-planned murder, Calculated and cold-blooded murder, Helpless state of victim, Horrendous details of the crime committed, Shocking nature of the crime etc.

**Mitigating Factors:** Mental or emotional status of the culprit; Age of the accused, whether young or old; ability to reform the accused; acting under coercion etc.

### What are arguments in favour of Death Penalty?

**Maintaining Deterrence:** The foremost argument given in support is the level of deterrence maintained in society by awarding death penalty. Many people believe that a person may restrain himself from committing a heinous crime like murder if death penalty is awarded for it.

**National Security:** Some acts like waging war against the State, terrorism etc. erodes the sanctity of our National Security framework. Such acts threaten the very existence of the country and its people. For instance, Ajmal Kasab was awarded the death sentence for carrying out 26/11 Mumbai attacks.

**Acts that shake the collective conscience:** Supporters of Death Penalty says that there are some acts which shakes the collective conscience of society and deserves nothing except death penalty.

For instance, The *Vinay Sharma v. the Union of India* (2020) case, also famously known as the Nirbhaya gang-rape case, had shocked the conscience of the whole country. One of the accused committed suicide in jail and one of the accused was a juvenile so he was not sentenced to death. But the other four accused were sentenced to death and were also hanged in the year 2020.

**Safety of Citizens:** Proponents of capital punishment argue that some criminals commit most terrible of crimes and are beyond redemption (e.g., some accused of multiple rape cases). They show no remorse or repentance. There is no change of reform and should be awarded death sentence for safety of citizens.

**What are the arguments in favour of abolition of Death Penalty?**

**High Degree of Subjectivity:** There is a high degree of subjectivity in awarding death sentences as the judges find it difficult to balance the mitigating and aggravating factors. Further, The death sentence is frequently used disproportionately on the poor, minorities, and members of racial, ethnic, political, and religious communities. According to the Death Penalty India Report 2016 (DPIR), approximately **75% of all convicts sentenced to death in India are from socio-economically underprivileged categories**, such as Dalits, OBCs, and religious minorities.

**Mental Stress:** In many cases the convicts have to undergo a huge term of imprisonment before being finally executed. The findings of Project 39A's report 'Deathworthy' shows that the segregated, alienated and stigmatized experiences of being on a death row for a longer time result in mental illness.

**Irreversible in Nature:** Courts often give compensation to individuals who are wrongly convicted and have spent considerable time in jail due to an error by the State. However, if a person is wrongly hanged, then no amount of compensation can bring back the person and mitigate the error.

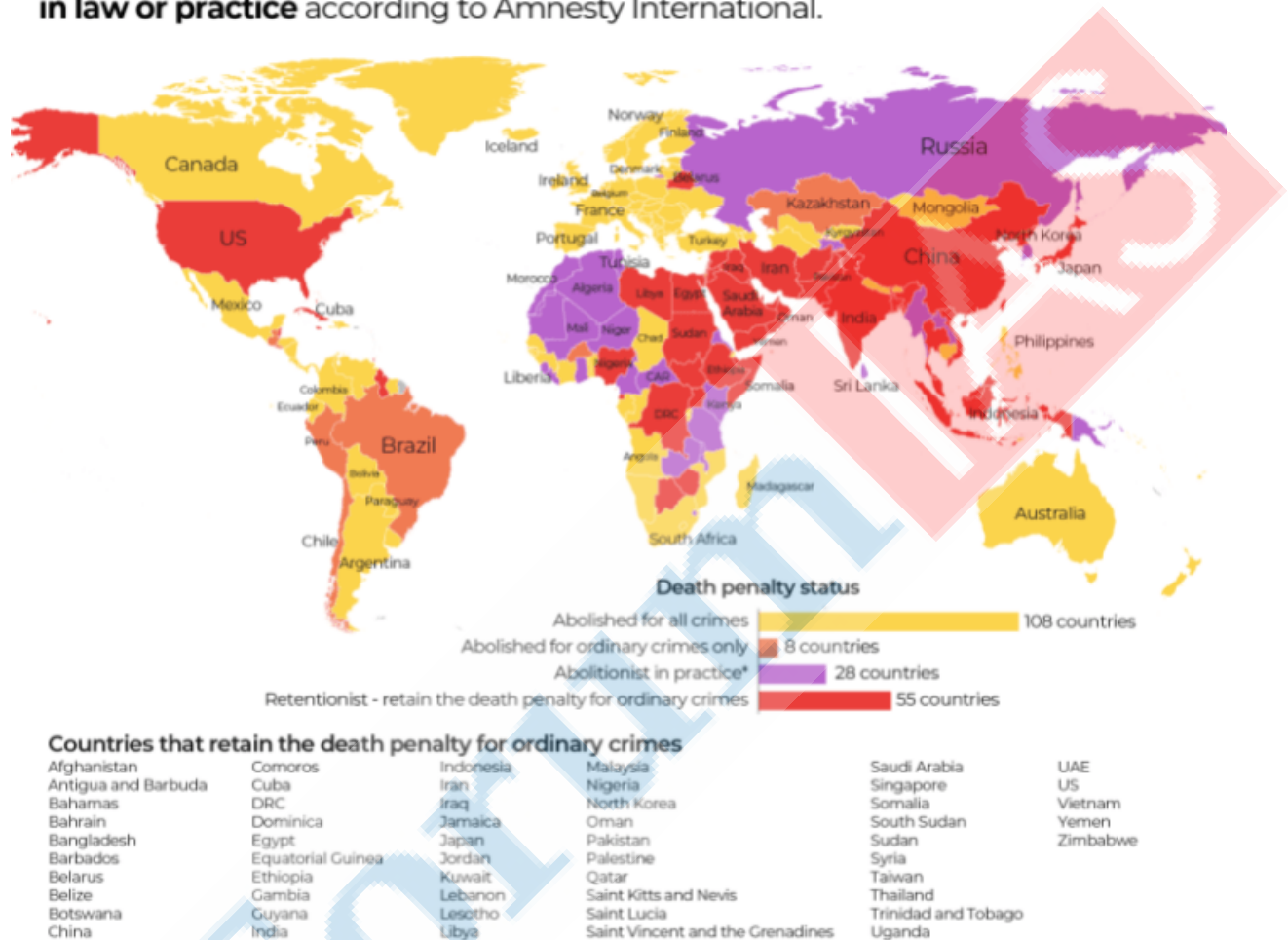
**Inhumane:** Human rights and dignity are incompatible with the death penalty. The death sentence is a violation of the right to life, which is the most fundamental of all human rights.

**Global Precedent – No correlation with low crime rates:** Scandinavian countries like Norway, Sweden and Finland have one of the lowest crime rates in the world without death penalty. They focus on reforming the criminal rather than deterring him with stricter and harsh punishments. More than 100 countries have already abolished death sentence for all offences. This includes most European nations, Australia, New Zealand etc.

## DEATH PENALTY

### Which countries still have the death penalty?

More than two-thirds of the world has now abolished the death penalty in law or practice according to Amnesty International.



Source: The Guardian

### What lies ahead?

**First**, the Supreme Court can step in and commute Balwant Singh's death sentence on account of undue delay in disposal of the mercy petition that has violated his right to life under Article 21 of the Indian Constitution.

**Second**, the SC should release updated guidelines on how to balance the aggravating and mitigating factors in cases. This will help in reducing subjectivity in awarding death penalty and reduce the instances of unnecessary award of death sentence.

**Third**, courts can evolve innovative ways for giving stricter punishment in place of death penalty. For instance, giving minimum 25-30 years rigorous imprisonment that can't be reduced or reviewed.

**Fourth**, the focus should be on ensuring certainty of punishment rather than quantum of punishment that will act as a better deterrent for criminals.



**Fifth**, the Union Government should also **act swiftly on mercy petitions based on merits** and not on political advantage/disadvantage it may get from the petition.

### Conclusion

The Law Commission in its 262nd report proposed that the death penalty should be abolished for all crimes excluding terrorism-related offences and war. The experience of the Scandinavian countries also supports this view. However till the time it happens, there should be proper implementation of the Bachan Singh Judgment by the Indian Courts.

Source: [The Hindu](#), [Indian Express](#)

## India France Relationship – Explained, pointwise

### Introduction

India France Relationship has continued to move forward on a steady and clear course. India's External Affairs Minister recently remarked that, "India's ties with France are based on a great sense of trust and it is a relationship that has been free from sudden shifts and surprises seen in other cases." The Prime Minister of India recently concluded a visit to France. The visit provided a crucial opportunity to survey the international strategic landscape and take stock of the bilateral India France relationship.

### What has been the evolution of India France relationship?

India and France have traditionally close and friendly relations. The relationship has been positive since India's independence. Since the 1960s, French aircraft and helicopters have been part of the Indian air fleet (Ouragan, Mystere, Alize, Alouette, Jaguar etc.). In 1984, the US had backed out of agreement to supply nuclear fuel for Tarapur nuclear plant citing domestic legal constraints. France had stepped in then to supply nuclear fuel.

France has also supported India's space programme since its inception. France helped in setting up the Sriharikota launch site and shared the Centaure and Viking rocket technologies in the 1970s. Though the relationship was constrained by Cold War, France had proved to be one of the most reliable partner in the West in the cold-war era.

In 1998, the two countries entered into **Strategic Partnership** which is emblematic of their convergence of views on a range of International issues apart from a close and growing bilateral relationship. Since then the domains of cooperation have expanded. The strategic partnership is anchored on the solid bedrock of deep and consistent mutual trust, abiding faith in strategic autonomy, unwavering commitment to international law; and belief in a multipolar world shaped by reformed and effective multilateralism. Both are committed to the shared values of democracy, fundamental freedoms, rule of law and respect for human rights.

The areas of Defense & Security cooperation, Space cooperation and Civil nuclear cooperation constitute the principal pillars of our Strategic Partnership with France.

### What are the recent developments in India France relationship?

**Strategic:** India and France are close strategic partners. France was one of the first countries that **accommodated India's position after the 1998 Nuclear Tests**. France supported India's political and security compulsions vis-a-vis the nuclear weapons. Further, France has **backed India's permanent candidature at UN Security Council** as well as the G8. In addition, France

is also part of India-France-Australia Trilateral Dialogue that supports free, open and inclusive Indo-Pacific.

**Security:** India and France regularly conduct joint military exercises. These include [Varuna](#) (Naval), *Garuda* (Air Force) and *Shakti* (Army). Both countries have also undertaken 'joint patrolling' in the Indian Ocean Region to back their stance of open Indo-Pacific. Both are striving towards maritime domain awareness in the Indian Ocean region. Further, **France has emerged as India's second largest arms supplier after Russia**. Major military equipment imported from France include the Rafale and Mirage 2000 Fighter Aircraft and Scorpene Submarines.

**Read More:** [India, France agree to expand partnership in defence, security](#)

**Science and Technology:** India and France share strategic partnership in the space domain. Both concluded a Joint Vision for Space Cooperation in 2018. They are also cooperating in satellite navigation and related technologies. India and France **are jointly constructing the world's largest nuclear park** in Jaitapur, Maharashtra.

**Energy:** French support played an important role in India getting an exemption from the Nuclear Suppliers Group (NSG) in 2008 to resume international cooperation in civil nuclear energy. France actively supports India's entry in to the NSG. Further, India and France played a pivotal role in creating the International Solar Alliance.

**Trade:** Both India and France have important bilateral investments & trade and commercial cooperation.

From January to December 2021 (CY2021), the India-France bilateral trade in goods (excluding military equipment) stood at € 12.58 billion. India's exports to France were valued at € 6.70 billion while Indian imports from France stood at € 5.88 billion. The bilateral services trade (CY2020) stood at € 4.76 billion.

France has emerged as a major source of FDI for India with more than 1,000 French establishments already present in India with a total turnover of US\$ 20 billion and employing around 300,000 persons. France is the 11th largest foreign investor in India with a cumulative investment of US\$ 10.6 billion between April 2000-December 2021.

**Diaspora:** It is estimated that the Indian community, including NRIs in mainland France number around 109,000, largely originating from French enclaves of Puducherry, Karaikal, Yanam, Mahe and Chandernagore. A Sizable number of Indian-origin population lives in the French Overseas Territories of Reunion Island (280,000), Guadeloupe (60,000), Martinique (6,000) and Saint Martin (300).

**Read More:** [India and France: A deepening friendship](#)

### What is the significance of the India France relationship?

**Securing the Indo-Pacific:** India will require the support of France for maintaining the stability and security of the Indo-Pacific region and countering the growing Chinese aggression. The Indian Ocean holds importance for France as it controls the Reunion Islands. Both countries have concluded a Joint Strategic Vision for cooperation in the Indian Ocean Region in 2018.

**High Degree of Trust:** France has stood by India through thick and thin, beginning with 1998 when India conducted nuclear tests. Both nations share a high degree of mutual trust that allows them to cooperate on bilateral and multilateral issues.

**Entry to Key Organizations:** France's support will be crucial to India's entry into the UNSC and the NSG.

**Tackling Climate Change:** The cooperation between them can be helpful to achieve the goals of the Paris Agreement and in implementing the Glasgow Climate Pact.

**Global Stability:** Cooperation between the two can help in checking Russia's assertiveness in Europe and China's assertiveness in Asia, thereby ensuring global stability and world order.

### What are the challenges in the relationship?

**Stalled Projects:** Many projects that have been negotiated between the countries have not been operationalized. For instance, the Jaitapur nuclear project has been stalled and is facing a lot of domestic impediments.

**Free Trade with EU:** Despite having good relations, France and India don't have a free trade agreement between them. Further, no progress is being made on the India-EU Broad based Trade and Investment agreement (BTIA) as well.

**Different stand on Russia Ukraine conflict:** France has openly criticized the Russian invasion. India has a more restrained stance on the conflict. The difference in the response hasn't impacted their bilateral relationship till now. However if the conflict gets prolonged, then it might impact the India France relationship as well.

**Operating at low potential:** While the governments share a robust relationship, the business relationships are weak. Bilateral trade is less than half of India's trade with Germany. The target of €12 billion set in 2008 remains elusive.

### What lies ahead?

**First**, India can leverage its good relations with France and **convert the idea of India-EU BTIA into reality.**

**Second**, both the Indian PM and the French President have a good relationship with the President of Russia. Therefore, they **can jointly work to bring the war in Europe to an end.**

**Third**, both countries should **create better options for small countries in the Indo-Pacific region** and enable them to make sovereign and free choices. They should neither be subjected to domination nor caught in a binary power rivalry.

**Fourth**, a **joint working group** can be created to expeditiously complete the stalled projects by duly addressing the reasons hindering their completion.

**Fifth**, India and France are fully **committed to pursuing the implementation of the Partnership Agreement on Migration and Mobility**, which entered into force on 1 October 2021. Both sides will continue to work jointly to increase the mobility of students, graduates, professionals and skilled workers while strengthening their efforts to combat irregular migration.

### Conclusion

The current visit of the Indian PM to France reflects the strong strategic partnership which the two countries deeply value and share. India and France have excellent bilateral ties, which are reinforced by a shared vision to cooperate for further enhancing peace and prosperity for the two countries and the world at large.

Source: [Indian Express](#), [Indian Express](#), [MEA](#)

## The Debate Regarding Abortion – Explained, pointwise

### Introduction

An abortion is a medical procedure that ends a pregnancy. It is a basic healthcare need for millions of women, girls and others who can become pregnant. Recently, there were reports in the US newspapers that the US Supreme Court will overturn its landmark *Roe vs Wade Judgment* (1973). This Judgment had made abortion a Constitutional Right for women in the US. This judgement was also instrumental in abortion related legislations around the world. The news has re-ignited debate regarding rights of the women to bodily autonomy vis-a-vis abortion.

### What is abortion?

Abortion is a simple health care intervention that ends a pregnancy. It can be effectively managed by a wide range of health workers using **medication or a surgical procedure**. Comprehensive abortion care includes the provision of **information, abortion management and post-abortion care**.

It encompasses care related to – **(a)** Miscarriage (spontaneous abortion and missed abortion); **(b)** Induced abortion (the deliberate interruption of an ongoing pregnancy by medical or surgical means); **(c)** Incomplete abortion as well as fetal death (intrauterine fetal demise).

### What is the Roe V. Wade Case?

The Judgment **struck down the laws that made abortion illegal in several US States**. It ruled that abortion would be allowed up to the point of **'foetal viability'**, that is, the time after which a foetus can survive outside the womb. Foetal viability is often seen as the point at which the **rights of the woman can be separated from the rights of the unborn foetus**. The Judgment tried to establish a balance between the **Right of Women to 'bodily autonomy' vis-a-vis the 'Right to Life' of the foetus**. (Pro-choice vs Pro-life debate).

Foetal viability was around 28 weeks (7 months) at the time of the Roe judgment. Experts now agree that advances in medicine have brought the threshold down to 23 or 24 weeks (6 months or a little less), and newer studies show this could be further pegged at 22 weeks.

Despite the Roe Judgment, several US States have enacted laws that put restrictions on abortion e.g., the State of Texas passed a law in 2021, that restricts abortion after the detection of 'foetal heartbeat' (6 weeks). The State of Mississippi in the US had restricted abortion beyond 15 weeks. This has been challenged in the US Supreme Court. The draft Judgment has been leaked and it is said to have overturned the Roe Judgment.

### Key Terms

**Bodily Autonomy:** UN Population Fund (UNFPA) defines bodily autonomy as the right to make decisions over one's own life and future. The **UN Human Rights Office (OHCHR)** observes that Women's human rights include the rights to equality, to dignity, autonomy, information and bodily integrity and respect for private life and the highest attainable standard of health, including sexual and reproductive health, without discrimination. **World Economic Forum** has noted that bodily autonomy for women includes power to say no to sex with husband/partner, to decide on contraception and to make independent decisions on healthcare including reproductive healthcare which includes abortion.

**Pro-choice Movement:** Pro-choice Movement advocates that a **woman has a right to choose** whether or not she will have an abortion.

**Pro-life Movement:** It is an anti-abortion movement that advocates that life begins at conception itself, and **unborn human babies also have right to life.**

#### **What would be the impact of overturning of Roe Judgment?**

The Roe Judgment is said to have a major impact on global discourse on abortion and abortion laws. In 1955 only the Soviet republics (of USSR) had legalized abortion on request. By 1990, 30+ countries had legalized abortion on request, as pro-choice activists often relied on this judgment to mobilize the public opinion. So overturning of the Judgment could have a major impact on the pro-choice movement.

**First**, there is no federal law protecting the right to abortion in the US. The overturning of Roe would **leave abortion laws entirely up to the states**. Many States would ban abortion and poorer women would bear the brunt in most cases

**Second**, the number of legal abortions in the US could fall by at least 14%, thereby **jeopardizing women to unsafe illegal abortions** and threatening their life. Women will face issues of access and affordability of abortions.

**Third**, It will raise fundamental questions on the limits of judicial activism aimed at protecting the rights of persons and classes, which **do not find explicit mention within a country's constitutional framework**. For instance, in the Indian context, the overturning **could be seen as a setback to the celebrated doctrine of transformative constitutionalism**. It sees the Indian Constitution as a “living document” that moulds, adapts and responds to changing times and circumstances. Similarly, recognition of the right to privacy as a fundamental right could also come under the radar in India.

#### **What is the current status of legislation on abortion globally and in India?**

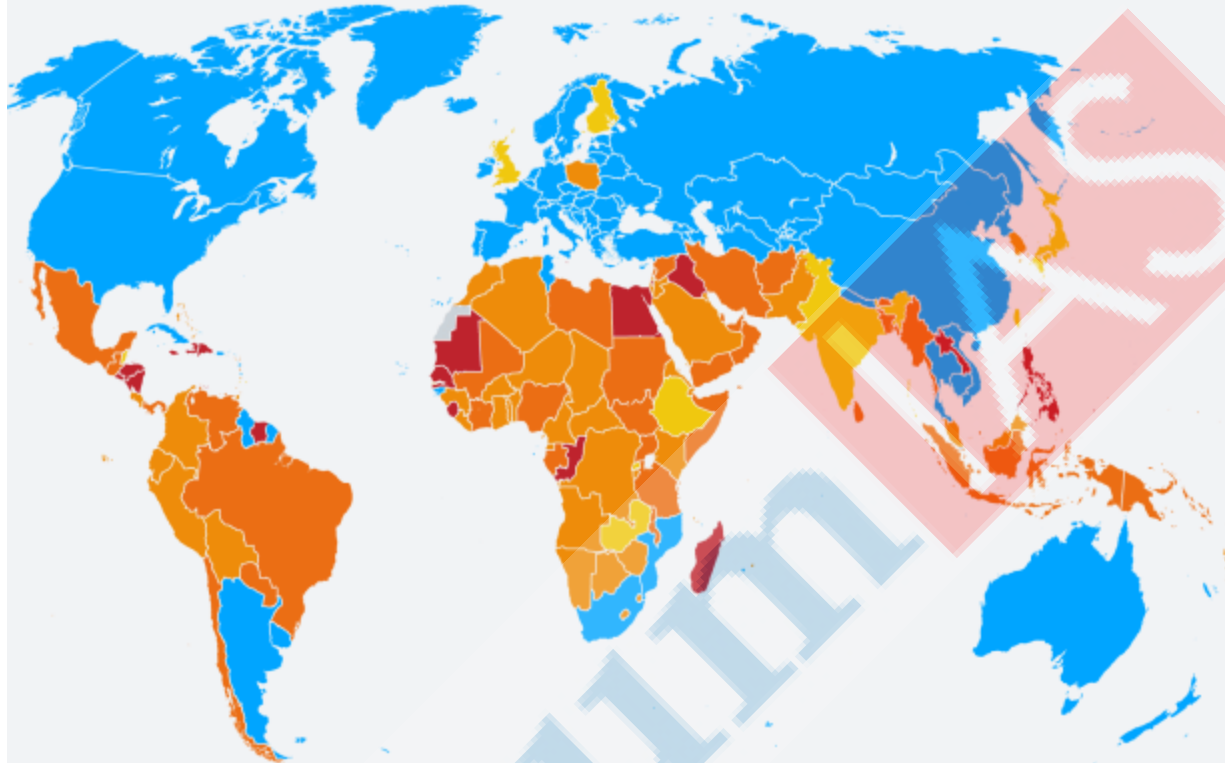
India's Medical Termination of Pregnancy Act, 1971 allowed abortion until 20 weeks of pregnancy. Through an amendment in 2021, the ceiling for abortions was raised to 24 weeks, but only for special categories of pregnant women such as rape or incest survivors. The approval of two registered doctors is mandatory in this case.

In case of foetal disability, there is no limit to the timeline for abortion, but that is allowed by a medical board of specialist doctors set up by the governments of states and union territories.

Women can now terminate unwanted pregnancies caused by contraceptive failure, regardless of their marital status. Earlier the law specified that only a “married woman and her husband” could do this.

**Read more:** [Medical Termination of Pregnancy \(Amendment\) Bill, 2021](#)

# The World's Abortion Laws



- Prohibited Altogether
- To Save the Woman's Life
- To Preserve Health
- Broad Social or Economic Grounds
- On Request (Gestational Limits Vary)

**Category 1**

Abortion is not permitted under any circumstances, including when the pregnant person's life or health is at risk. 24 countries globally fall within this category.

**90 million** women (5%) of reproductive age

**Category 2**

Abortion is permitted when the pregnant person's life is at risk. 42 countries fall within this category.

**360 million** women (22%) of reproductive age

**Category 3**

Abortion is permitted on the basis of health or therapeutic grounds.

**225 million** women (14%) of reproductive age

**Category 4**

Abortion is permitted under a broad range of circumstances, including a pregnant person's actual or reasonably foreseeable environment and her social or economic circumstances in considering the potential impact of pregnancy and childbearing.

**386 million** women (23%) of reproductive age

**Category 5**

Abortion is allowed on request. 72 countries globally fall within this category.

**601 million** women (36%) of reproductive age

Source: Center for Reproductive Rights, "The World's Abortion Laws"

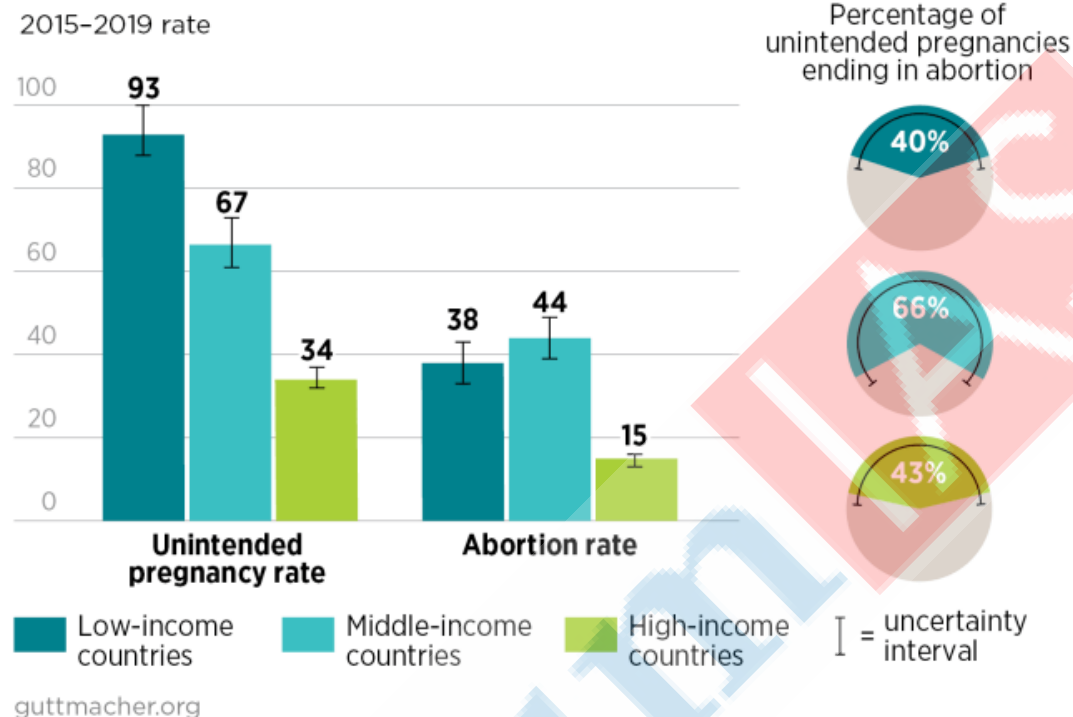
### Why is lack of access to safe abortion a global healthcare issue?

According to the WHO, almost half of all pregnancies i.e 121 million pregnancies (every year) are unintended. Around 73 million induced abortions take place worldwide each year. Six out of 10 (61%) of all unintended pregnancies, and 3 out of 10 (29%) of all pregnancies, end in induced abortion.

Global estimates from 2010–2014 demonstrate that **45% of all induced abortions are unsafe**. Of all unsafe abortions, **one third are performed under the least safe conditions**, i.e., by untrained persons using dangerous and invasive methods. Developing countries bear **the burden of 97% of all unsafe abortions**. More than half of all unsafe abortions occur in Asia, most of them in south and central Asia.

In Latin American and Africa, the majority (approximately 3 out of 4) of all abortions are unsafe. In Africa, nearly half of all abortions occur under the least safe circumstances.

## Unintended pregnancy and abortion occur across all country income groups



Source: Guttmacher Institute (A pro-choice research organisation based in the US)

### What are the consequences of lack of access to quality abortion care?

**Undermines Right to Health and other Human Rights:** The Supreme Court has recognized that Article 21 i.e Right to Life includes Right to Health as well. Unsafe abortions impact the fundamental rights of women to health as well as life. It impacts other basic human rights like; **(a)** Right to the highest attainable standard of physical and mental health; **(b)** Right to benefit from scientific progress and its realization; **(c)** Right to decide freely and responsibly on the number, spacing and timing of children; **(d)** Right to be free from torture, cruel, inhuman and degrading treatment and punishment.

**Maternal Death and Morbidities:** Each year, 4.7–13.2% of maternal deaths can be attributed to unsafe abortion. In developed regions, it is estimated that 30 women die for every 100 000 unsafe abortions. In developing regions, that number rises to 220 deaths per 100 000 unsafe abortions.

**Economic Hardships:** Estimates from 2006 show that complications of unsafe abortions cost health systems in developing countries US\$ 553 million per year for post-abortion treatments. In addition, households experienced US\$ 922 million in loss of income due to long-term disability related to unsafe abortion



**What are the challenges in getting quality abortion care?**

**Financial Constraints:** It is difficult for people below poverty line to access comprehensive abortion care that includes the provision of information, abortion management and post-abortion care. The situation becomes is worsened when a country's healthcare system have gaps.

**Geographical Barriers:** It is quite possible that pregnant women reside in a region where there is dearth of quality maternity services. In such a situation (as seen in many Indian Villages), they have to resort to sub standard local clinics/informal institutions.

**Debarred by Law of the Land:** Many times countries criminalize the practice of abortion as was done by Ireland till October 2019. This induces people to resort to unsafe abortion practices in secrecy. Due to this, the proportion of unsafe abortions are significantly higher in countries with highly restrictive abortion laws than in countries with less restrictive laws.

**Social Stigma associated with Abortion:** In many religions, it is believed that child is created with god's permission and abortion would result in disobeying god's command. Due to this, women are unable to do abortion even in case of unwanted pregnancy.

**Son Preference:** This practice is prevalent in patriarchal societies including in India. The preference for male child induces parents to go unregulated clinics for sex determination and subsequent abortion.

**What should be the way forward?**

**First**, the countries should proactively work to reduce the hardships for women. The first step could be a reduction in unwanted pregnancies that can be achieved by improving access to contraceptive devices.

**Second**, there should be legalization of abortion in countries where it is still forbidden or very restrictive in nature. This would improve women's education, participation in the labor market and contribution to GDP growth. It will also enhance children's outcome as parents would be in a better position to invest in them.

**Third**, the global discourse and legislations on abortion should not change in the event of overturning of Roe Judgment.

**Conclusion**

Women and girls should have access to abortion care that is safe, respectful and non-discriminatory in nature. It is safe when carried out using a method recommended by WHO, appropriate to the pregnancy duration and by someone with the necessary skills. Countries must realize that **access to abortion care is fundamental** in meeting the Sustainable Development Goals (SDGs) relating to good health and well-being (SDG3) and gender equality (SDG5).

Source: [Indian Express](#), [Indian Express](#), [The Hindu](#), [WHO](#)

**Delimitation in J&K – Explained, pointwise****Introduction**

Delimitation is the exercise of redrawing boundaries of Lok Sabha or State Assembly Constituencies to represent changes in population over time. The exercise is undertaken by a Delimitation Commission appointed for this purpose. In this context, a Delimitation Commission

set up for the delimitation of Assembly and Parliamentary Constituencies in Jammu and Kashmir has submitted its final report . It was set up on March 6, 2020. The Commission was headed by retired Supreme Court Justice Ranjana Prakash Desai and had the Chief Election Commissioner of India and J&K's Chief Electoral Officer as ex-officio members. 5 MPs from J&K were associate members.

### **What is a Delimitation Commission?**

The Delimitation Commission is **appointed by the President of India** and works in collaboration with the Election Commission of India. The Commission is made up of a retired Supreme Court judge, the Chief Election Commissioner and the respective State Election Commissioners.

The commission is mandated to: **(a)** Determine the number and boundaries of constituencies to make the population of all seats, as far as practicable, be the same throughout the State; **(b)** Identify seats reserved for Scheduled Castes and Scheduled Tribes, wherever their population is relatively large.

The Constitution mandates that the **orders of commission are final and cannot be questioned before any court.**

### **What is the process of Delimitation under the Constitution?**

Under **Article 82**, the Parliament enacts a Delimitation Act after every Census. The Union government sets up a Delimitation Commission. Delimitation commissions have been set up four times in the past — 1952, 1962, 1972 and 2002 — under Delimitation Commission Acts of 1952, 1962, 1972 and 2002.

In 1976, the **42nd Constitutional Amendment** had frozen the delimitation process until 2001. This freeze was extended till the first census after 2026 (i.e., Census 2031) by the 84th Amendment Act in 2002). In 2002, based on the 2001 Census Delimitation Commission was set up to readjust the boundaries of existing Lok Sabha and Assembly seats and rework the number of reserved seats. There was no change in the number of seats. The number of seats were frozen as a measure to **boost family planning norms** and to enable the State Governments to pursue the agenda for population stabilisation.

### **What was the need for delimitation in J&K?**

In the erstwhile State, delimitation of Parliamentary Constituencies was governed by the Constitution of India and that of Assembly seats was carried out by the State government under the **Jammu and Kashmir Representation of the People Act, 1957**. The last delimitation exercise in J&K was carried out in 1995. **After abrogation of J&K's special status in 2019, the delimitation of both Assembly and parliamentary seats is governed by the Constitution of India.**



Source: News18

**The need for delimitation was felt because of:**

**First,** Delimitation became necessary when the **Jammu and Kashmir Reorganization Act, 2019 increased the number of seats** in the Assembly. The erstwhile J&K state had 111 seats — 46 in Kashmir, 37 in Jammu, and 4 in Ladakh — plus 24 seats reserved for Pakistan-occupied Kashmir (PoK). When Ladakh was carved out as a Union Territory, J&K was left with 107 seats, including the 24 for PoK. The Reorganization Act increased the seats to 114 — 90 for Jammu & Kashmir, besides the 24 reserved for PoK.

# J&K delimitation after 2019

After the abrogation of Article 370 on August 5, 2019, Jammu and Kashmir lost its special status and became a UT. This is why a delimitation commission was constituted and asked to carve out Assembly and Parliament seats in the UT

## The current effective strength of the J&K Assembly



These include

**24 seats** that fall under PoK and continue to remain vacant

**4 seats** falling in the Ladakh region (now a separate UT)

According to the J&K Reorganisation Bill, 2019

**J&K will have an Assembly with a maximum strength** of 107 seats which will be further enhanced to 114 after a delimitation exercise

Source: News18

**Second**, the delimitation process would ensure that constituencies become coterminous with the district boundaries. This would eventually **enhance parity** in the region.

**Third**, Delimitation is crucial for **kick-starting the political process** in J&K. Despite having a provision of an elected legislative assembly, the Union Territory has been devoid of the same since 2019.

#### **What recommendations have been made by the Delimitation Commission?**

**ASSEMBLY:** The Commission has increased 7 Assembly seats — 6 in Jammu (now 43 seats) and 1 in Kashmir (now 47). It has also made changes in the structure of the existing Assembly seats.

**LOK SABHA:** The Commission has redrawn the boundaries of Anantnag and Jammu seats.

**RESERVATIONS:** The Commission has recommended 'provision of at least two members from the community of Kashmiri Migrants (Kashmiri Hindus) in the Legislative Assembly'. It has also recommended that Centre should consider giving representation in the J&K Legislative Assembly to the 'displaced persons from Pakistan-occupied Kashmir, who migrated to Jammu after Partition'. The Commission has reserved nine Assembly seats for Scheduled Tribes.

#### **What are the concerns associated with the recommendations of the Commission?**

**First**, Constituency boundaries are **being redrawn only in J&K** when delimitation for the rest of the country has been frozen until 2026. In 2002, the then J&K government amended the J&K Representation of the People Act to freeze the delimitation exercise until 2026, as in the rest of the country.

**Second**, political parties in Jammu and Kashmir have been pointing out that the Delimitation Commission is mandated by the Reorganization Act, which is **sub judice in the Supreme Court**.

**Third**, there are concerns that recommendations **violate the uniformity and equal importance of every vote** in the region. Under the new arrangement, Jammu with a population of 53 lakh (43% of the total population of 1.22 crore) will have 47.8% seats, while Kashmir which has a population of 68 lakh (56%) will have 52.2% of the seats. In the earlier set-up, Kashmir's 56% had 55.4% of the seats and Jammu's 43.8% had 44.5% of the seats.

**Fourth**, the Commission **did not specify whether the seats for Kashmiri Pandits** should be reserved from among the existing seats, or whether they should be given additional seats.

**Fifth**, opposition parties have criticized that the new delimitation will skew the balance of representation against Central Kashmir and in favor of Jammu.

**Sixth**, while delimitation as a rule is carried out on the basis of Census population, the Commission has taken certain other factors into consideration for J&K, including size, remoteness and closeness to the border e.g., the Commission has merged Rajouri and Poonch (from Jammu division) with the Anantnag constituency in the Kashmir region. The new constituency has been renamed as Kishtwar-Rajouri. There are concerns that it might act as a barrier to the **constitutional and legislative homogenisation** of J&K.

**Seventh**, it will be the first delimitation award in the country's legislative history that will not be placed before the legislative assembly of the UT that has been delimited. Tabling the award would have given it a democratic sanction.

#### **What lies ahead?**

The completion of the delimitation exercise is the first step towards conduct of elections in the region. Thus, it is a crucial step in the possible restoration of statehood for Jammu and Kashmir.

The Union Home Minister had stated earlier this year that the statehood of Jammu and Kashmir will be restored 'once the situation becomes normal'.

The Union Government will now fix a date from which the delimitation order will come into effect. The ECI will then rationalise the polling stations and revise the electoral rolls. Though mainstream parties in the Valley have criticized the report, it is likely that this will make space for political engagement in the region.

Source: [Indian Express](#), [Indian Express](#), [Indian Express](#), [The Hindu](#)

## The Issue of COVID-19 Deaths in India – Explained, pointwise

### Introduction

The World Health Organization has released a report that says that there were 4.7 million COVID-19 deaths in India during 2020-21. This is almost 10 times the official death count as maintained by the Government of India. The WHO estimate places India topmost among countries in terms of excess deaths during this period. The numbers come just two days after India released its annual data for registration of births and deaths for the year 2020, recorded in its civil registration system (CRS). The CRS data showed about 4.75 lakh more deaths than in previous years. This has triggered a debate regarding the veracity of the report as well as official government data regarding COVID-19 Deaths.

### What are the findings of the WHO?

**Global:** An estimated 1.5 crore people are likely to have succumbed to the direct or indirect impact of the disease globally during the first two years of the pandemic. This is much more than 54 lakh that have been recorded officially by countries separately. Nearly 84% of the total number of excess deaths happened in South East Asia, Europe, and the Americas.

The high-income countries account for 15% of these deaths, upper middle income countries 28%, lower middle income countries 53%, and low income countries 4%.

**India Specific:** The WHO's data suggests that over 90% of deaths in India have gone unreported. About 8.3 lakh COVID-19 deaths are estimated to have happened in 2020, while Government's official figure is 1.49 lakhs for 2020. Further, it has pegged India's excess mortality for 2020 and 2021 at 47.4 lakh, caused either directly due to infection or through its indirect impact.

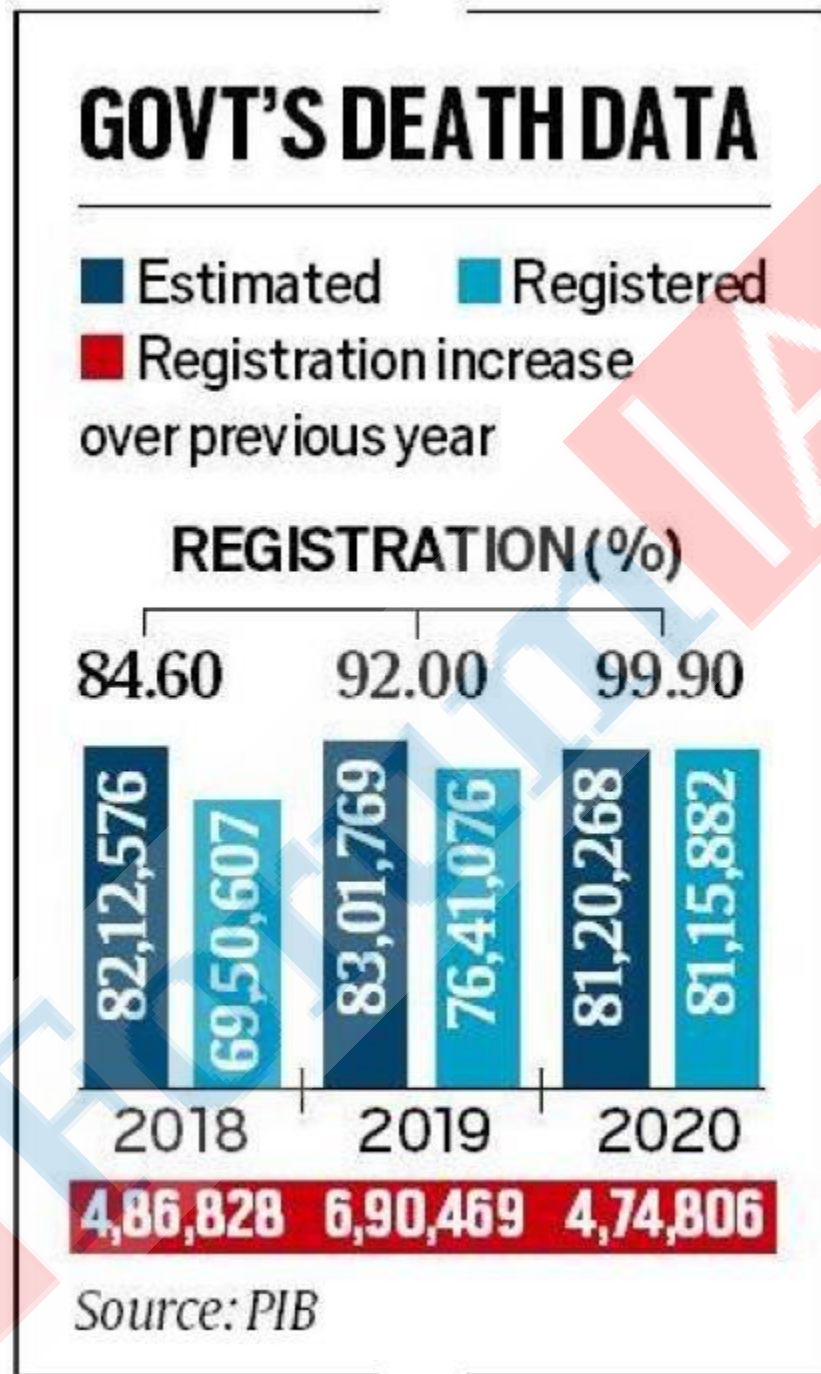
### How are the death related data maintained in India?

The Civil Registration System (CRS) and the Sample Registration Survey (SRS) are annual exercises that complement each other. The SRS **uses a door-to-door survey in a few thousand sample towns and villages** to produce an estimate of the total number of births and deaths in the country every year. This exercise is repeated after a few months to avoid duplication.

The CRS is a database of all births and deaths that **get registered**. The CRS database is therefore a subset of the SRS. Over the last few years, as more and more people are registering their births and deaths, the CRS numbers are converging closer to the SRS estimates. The Registrar General of India maintains the CRS and conducts the SRS.

CRS only has death registration data, and not every death in the country is registered. The actual death data is revealed by the Sample Registration Survey (SRS) whose report for 2020 has not

yet been released. According to the Government, the registration of deaths with CRS has improved from ~70% in 2013 to ~99.9% in 2020.



Source: Indian Express

### Why are the reasons for difference between WHO estimates and India's official Data?

**First**, India has **not yet stopped counting its COVID-19 deaths**. The 5.24 lakh deaths counted until now is not the final official toll. The number is under constant revision, and is likely to remain so for several months, if not years. For instance, Kerala is updating its death toll almost

every day, and many other states have been doing it periodically. Last week, Assam added 1,300 deaths on a single day.

**Second**, a physical count, and verification, of the dead in a country **as vast as India during such chaotic times** is bound to take a little more time.

**Third**, the WHO report does not get into calculating the scale of the undercount, for India or any other country. It has done **a more straightforward exercise of calculating excess mortality**. It has estimated the total number of people who likely died in India in 2020 due to all causes. From that, it has subtracted the expected number of all-cause deaths if there was no COVID-19. These 'excess' deaths are considered to be a direct or indirect result of COVID-19.

**Fourth**, India has consistently questioned WHO's own admission that **data in respect of 17 Indian states was obtained from some websites and media reports** and was used in their mathematical model. This reflects a statistically unsound and scientifically questionable methodology of data collection for making excess mortality projections in case of India. WHO chose to ignore the available data submitted by India and published the excess mortality estimates for which the methodology, source of data, and the outcomes has been consistently questioned by India.

Some analysts have pointed out flaws that are directly apparent in WHO's estimates. WHO has put the India's COVID-19 deaths at 8.41 lakhs for 2020. There were 81.2 Lakh deaths in India in 2020 (CRS). Thus non-COVID-19 deaths were ~73 Lakhs. India's total death toll for a year has never been below 80 lakh since 2007 till when data is available. Thus the number of 8.41 lakh deaths in 2020 is questionable. Kerala is said to have the best healthcare system in India. Kerala's COVID-19 death rate is ~1900/million population. If this rate is extrapolated to pan-India level, the death-toll would be ~25 Lakhs which is nearly half of WHO estimates.

#### **What is the need for accurate information on COVID-19 deaths?**

**First**, it is **crucial to address the shortcomings of public health facilities and framing responses** to future medical emergencies.

**Second**, it will help in the **adequate distribution of compensation** to deceased and their family members. It is essential to support the families in pandemic times and reduce the financial burden on the.

**Third**, it will help in **assessing India's performance** in tackling Covid 19 with respect to other countries.

**Fourth**, it is also a **barometer to compare the performance of different Indian states** with each other. It will help the poor performing states to learn from the healthcare model of top performers.

**Fifth**, the data will help in **comparing the credibility of different studies** that estimated India's death toll at the onset of pandemic. For instance, In March 2020, a computer modeling study had predicted 1 to 3 million Covid-related deaths in India by the middle of April 2020. When nothing like that happened, the authors of the study acknowledged that the risk of dying from COVID was actually a lot lower than he had originally assumed. Prediction models are susceptible to deviate from actual outcomes due to flaws in underlying assumptions.



**What lies ahead?**

**First**, the **Covid compensation exercise**, under the watchful gaze of the Supreme Court, will, hopefully, **encourage families to report their loss**. This will help in giving a clearer picture of the COVID-19 deaths.

**Second**, the WHO's Covid death estimates underline **the need for India to further strengthen its death recording system**, fine tune its accuracy and transparency. In this regard, the rapid digitalisation of social systems should translate to the strengthening of the Civil Registration System and Sample Registration System as well, the two main tools for recording births and deaths.

**Third**, the **actual death data is revealed by the Sample Registration Survey (SRS)** whose report for 2020 has not yet been released. The government should duly compile and release the same in order to give a clearer picture.

**Fourth**, the countries should also understand that there is **no guarantee that WHO report models have an unquestionable capability to accurately mimic** the dynamics of the current pandemic, whose nature and behavior is far from fully understood.

**Fifth**, the Government should make efforts to **enhance healthcare surveillance and the data capture in the healthcare system**. Both the quantity and quality of data capture need to improved. The data will not only be useful in better understanding of health pattern across India, but can be prove to be extremely beneficial in picking-up earliest signals of a possible outbreak. This will also enhance policy on healthcare interventions.

**Conclusion**

Counting the COVID-19 deaths is not a mere academic exercise. This effort is crucial to address the shortcomings of public health facilities, frame responses to future medical emergencies and find out how well or poorly a country managed the pandemic.

Source: [Indian Express](#), [Indian Express](#), [Indian Express](#), [Times of India](#)

**Fall in Wheat Production and Procurement: Reasons and Impacts – Explained, pointwise****Introduction**

The procurement of wheat by the government agencies is set to dip to a 15-year low in the current marketing season. Wheat procurement in this year is expected to be 18.5 million tonnes (MT). This will be the lowest since the 11.1 MT bought in 2007-08. This would be the first time that wheat procured from the new crop (18.5 MT) is less than the public stocks at the start of the marketing season (19 MT). The below table shows, fresh procurement has always exceeded the opening balance stocks. It was so even during the previous two low procurement years of 2006-07 and 2007-08. The year 2021-22 had unprecedented levels of both opening stocks (27.3 MT) and procurement (43.3 MT). This has made the current fall even more dramatic.

WHEAT PROCUREMENT & OFFTAKE (LAKH TONNES)			
	STOCKS (OPENING BALANCE AS OF APRIL 1)	PROCUREMENT (APRIL-JUNE)	OFFTAKE (APRIL-MARCH)
2005-06	40.66	147.87	167.08
2006-07	20.09	92.26	118.75
2007-08	47.03	111.28	122.47
2008-09	58.03	226.89	148.85
2009-10	134.29	253.82	223.84
2010-11	161.25	225.13	230.67
2011-12	153.64	283.34	242.67
2012-13	199.52	382.15	332.42
2013-14	242.07	250.72	306.15
2014-15	178.34	281.31	271.59
2015-16	172.21	280.88	315.73
2016-17	145.38	229.61	292.47
2017-18	80.59	308.24	253
2018-19	132.31	357.95	316.47
2019-20	169.92	341.32	271.89
2020-21	247	389.92	363.9
2021-22	273.04	433.44	505.55
2022-23	189.9	185.00*	

\* Likely  
Source: Food Corporation of India

Source: Indian Express

### Some Key Facts about Wheat

Wheat is the second most important staple food after rice. It is consumed by 65% of the population in India. It is the main food crop, in the north and north-western part of the country. It is mostly consumed in the form of 'chapati' in our country for which bread wheat is cultivated in nearly 95% of the cropped area. *Durum wheat*, which is most suitable for making macaroni, noodles, semolina and pasta products, occupies about 4 to 5% of the area, and is predominantly grown in Central and Peninsular parts of India.

**Climate:** Wheat is a rabi crop. It requires a cool growing season and bright sunshine at the time of ripening. It requires 50 to 75 cm of annual rainfall evenly- distributed over the growing season.

**Wheat Growing Regions:** There are two important wheat-growing zones in the country – the Ganga-Satluj plains in the northwest and the black soil region of the Deccan. The **major wheat-**

**producing states** are Punjab, Haryana, Uttar Pradesh, Bihar, Rajasthan and parts of Madhya Pradesh.

India is the **second-largest producer of wheat in the world**, with China being the top producer and Russia the third-largest. US and Canada complete the list of the top 5. Ukraine is the world's eighth-largest producer of wheat.

### How is the procurement of wheat undertaken in India?

The Food Corporation of India (FCI) along with State Government Agencies (SGAs) procure wheat. The FCI's wheat procurement system can be decentralized or centralized.

Under the **centralized system**, the procurement of foodgrains in Central Pool are undertaken either by FCI directly or State Government agencies procure the foodgrains and handover the stocks to FCI.

Under the **decentralized procurement system**, State governments or their agencies procure, store, and distribute — against the Government of India's allocation for the targeted public distribution system and other welfare schemes (OWS).

### What are the reasons behind the fall in wheat procurement?

**Rising Export Demand:** In 2021-22, India exported a record 7.8 MT of wheat. Supply disruptions from the Russia-Ukraine war (the two countries account for over 28% of global wheat exports) have led to drastic rise in price of wheat in global market. It has led to an increase in the demand for Indian wheat.

The Indian wheat is getting exported at about US\$ 350 or INR 27,000 per tonne. This is well above the minimum support price (MSP) of INR 20,150 per tonne at which the government is procuring.

Amid the Russia-Ukraine crisis, new markets in countries like Israel, Egypt, Tanzania and Mozambique have opened up for India.

**Lower Production:** The sudden spike in temperatures from the second half of March has taken a toll on yields. In most wheat-growing areas where the crop is harvest-ready by mid-March, farmers have reported a 15-20% decline in per-acre yields. On May 4, the government lowered its wheat production estimates by 5.7% to 105 MT from the projected 111.32 MT for the crop year ending June.

**Hoarding by Traders:** The price of wheat is expected to rise further as the Russia-Ukraine conflict is getting prolonged. Traders and flour millers are already paying the farmers premium over the MSP. Traders are stocking up wheat in anticipation of price rise. There are reports that some enterprising farmers are also holding back their crop to realize greater gains when prices rise further. This has made it difficult for the government to procure wheat at MSP.

The end-result of a heatwave-affected crop and open market prices rising closer to export parity levels has been that **procurement by government agencies has plummeted.**

It has reduced to 9.6 MT in Punjab (from 13.2 MT last year), and even more in MP (12.8 MT to 4 MT), Haryana (8.5 MT to 4.1 MT) and other states (8.8 MT to not more than 0.8 MT). With opening stocks of 19 MT and expected procurement of 18.5 MT, government agencies would have **37.5 MT of wheat available for 2022-23.**

**What are the possible impacts of lower wheat procurement?**

**First**, the expected procurement would be able to meet the requirements of the public distribution system, midday meals and other regular welfare schemes, whose annual wheat requirement is around 26 MT. However, it will **fall short in meeting the commitments of special schemes** like the [Pradhan Mantri Garib Kalyan Anna Yojana](#) (PMGKAY) scheme.

**Second**, the government will **not be able to supply wheat to flour millers and other bulk consumers** to moderate open market prices during the lean months after October.

**Third**, the **price of wheat may rise further** due to lower production and huge export demand. This may **enhance food inflation in the country** and also increase the **food subsidy bill of the government** that is likely to cross INR 2.8 lakh crore this fiscal.

**What lies ahead?**

**First**, the relatively tight supplies in wheat can be **compensated by the comfortable public stocks of rice**. At over 55 MT as on April 1, these were more than four times the required buffer of 13.6 MT.

Further, a good monsoon should further augment availability from the ensuing kharif crop and tide over the shortages in wheat.

In this regard, the government has **revised the grain allocation under PMGKAY** for May to September 2022. According to the new guidelines, the FCI will fill the gap left by wheat with an increased allocation of rice.

**Second**, with every 1°C rise in temperatures, wheat yields are likely to suffer by about 5 Million Metric Tonnes (MMT), as per earlier IPCC reports. This calls for **massive investments in agri-R&D to find heat-resistant varieties** of wheat and also create models for ‘climate-smart’ agriculture.

**Third**, there **should be a check on wheat exports**. Indian wheat is highly competitive in the global market today, but the government should let these exports happen through the private trade in the natural course. It mustn’t push beyond a point, leave alone exporting from its stocks.

**Conclusion**

As government wheat procurement has dipped, concerns are being raised about the stability of prices in the country and the availability of grain for internal consumption. India has duly grabbed the export opportunity arising out of the Russia-Ukraine crisis however the **Government must not disregard domestic commitments** (Welfare measures, Food Security etc.) for meeting the demands of foreign customers.

Source: [Indian Express](#), [Indian Express](#), [The Hindu](#)

**RBI Report on Currency and Finance – Explained, pointwise****Introduction**

The Reserve Bank of India has recently released the Report on Currency and Finance (RCF) 2021-22. The theme of the Report is “Revive and Reconstruct” in the context of nurturing a durable recovery post-COVID and raising trend growth in the medium-term. The Report provides a frank assessment of the state of the Indian economy. It begins with analysis of the economic slowdown

prior to the pandemic. It further evaluates the post-Covid scenario, and the challenges facing the economy. One of the observations of the RCF is that 'India is expected to overcome Covid-19 losses in 2034-35'. This warrants close attention to the concerns highlighted in the report, and its policy prescriptions.

### What are the key findings of the Report on Currency and Finance?

#### General Findings

India witnessed the actual growth rate of (-) 6.6% for 2020-21 and 8.9% for 2021-22. It is **expected to overcome COVID-19 losses in 2034-35**. For this, it is assumed that there would be a growth rate of 7.2% for 2022-23, and 7.5% beyond that. The RBI said the **output losses** for individual years have been worked out to INR 19.1 lakh crore, INR 17.1 lakh crore and INR 16.4 lakh crore for 2020- 21, 2021-22 and 2022-23, respectively.

#### Pre-Pandemic Scenario

India's economic prospects had **worsened even prior to the pandemic**, with growth beginning to slow down in 2017-18. The GDP growth between 2017 and 2020 was **just 5.7%** — exactly the same as it was during 2011-2014. This slowdown, as the report notes, 'coincided with **sluggishness in the labour market**'.

**Table I.1: Episodes of Boom and Bust**

(Growth in per cent per annum)

	2003-08	2008-09	2009-11	2011-14	2014-17	2017-20
<b>Total Consumption</b>	6.1	5.5	6.5	6.1	7.4	6.3
<b>PFCE</b>	6.2	4.5	5.9	6.7	7.5	6.2
GFCE	5.8	11.4	9.7	2.6	7.0	7.4
<b>GCF</b>	<b>15.3</b>	<b>-2.6</b>	<b>14.5</b>	<b>2.0</b>	<b>5.4</b>	<b>6.5</b>
GFCF	12.6	3.2	9.4	6.2	5.9	6.9
CIS	73.5	-51.4	56.2	-27.4	16.7	12.3
Valuables	27.8	26.9	45	-11.1	2.2	5.4
Exports of goods and services	17.8	14.8	7.3	10	0.4	4.4
Less Imports of goods and services	20	22.4	6.9	6.1	-0.2	8.5
<b>GDP</b>	<b>7.9</b>	<b>3.1</b>	<b>8.2</b>	<b>5.7</b>	<b>7.9</b>	<b>5.7</b>

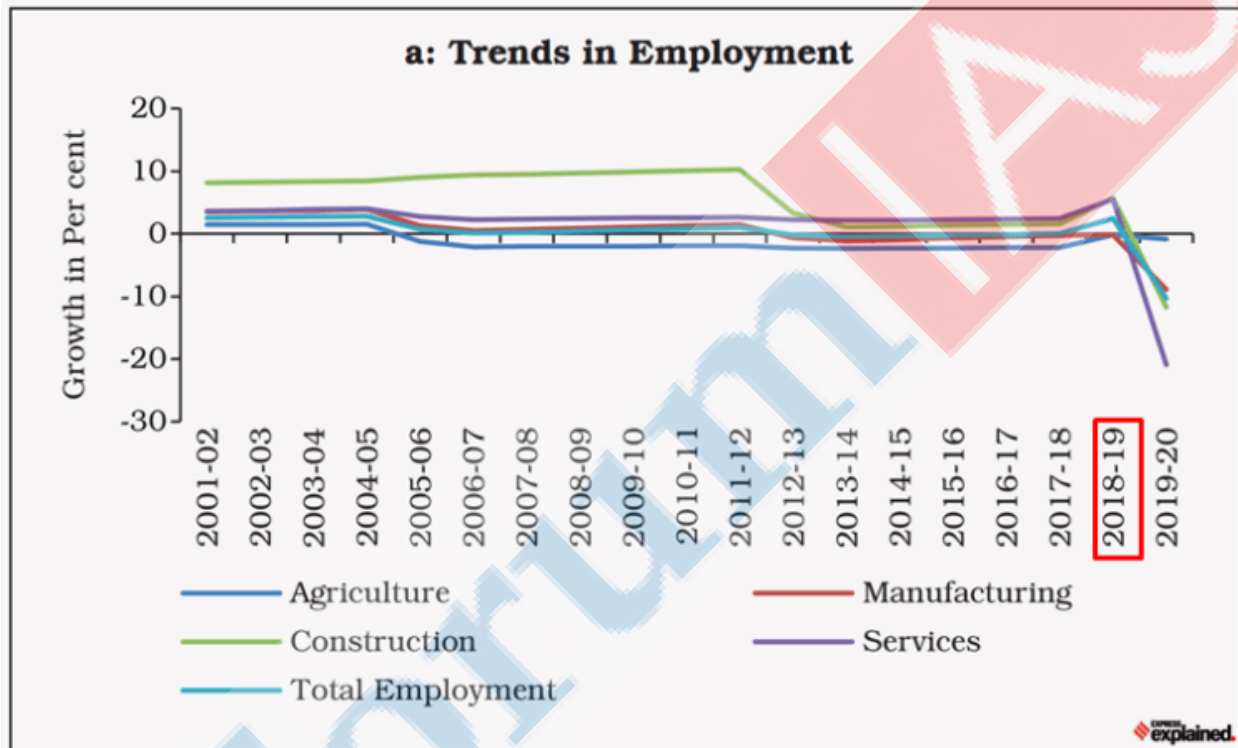
Source: NSO.

EXPRESS explained.

Source: Indian Express

The report observes that India's growth had been driven by private consumption (Private Final Consumption Expenditure, PFCE). However, private consumption has been slowing down since 2016. The report has attributed this to subdued labour market prospects (i.e., unemployment), coupled with household leverage (debt) and domestic shocks. The Private Final Consumption expenditure (PFCE) component had lost its growth momentum sharply — from 7.5% (2014-17) to 6.2% (2017-20).

The Report on Currency and Finance notes that the declining trend in employment started in 2018 and rural wages lost their growth momentum in late 2017. **These weaknesses were exacerbated by the COVID-19 pandemic.**



Source: Indian Express

### Post-Pandemic Scenario

The Indian labour market witnessed **a sharp deterioration during the first wave** of the pandemic with **unemployment rate touching a record high** and the labour force participation rate (LFPR) plummeting. The demand for MGNREGA jobs continues to be higher than the pre-Covid levels. The stringent lock-downs may have had a limited impact as India remains second-worst affected country by the pandemic (in terms of number of cases).

The Report on Currency and Finance observes that the economy has staged a quick recovery from the depths seen during the peak of the pandemic. However the **recovery has been uneven (or K shaped)**. Sectors such as trade, hotels, transport, communication and services, which are also labour intensive, have fared poorly.



Table I.2: Sector-wise Recovery Pattern

Sector	Trend Growth Pre-Pandemic		Growth Pandemic Period		Status	
	2012-2017	2017-2020	2020-21	2021-22 over 2019-20		
1. Agriculture, forestry & fishing	3.6	5.2	3.3	6.7	Resilient	
2. Mining & quarrying	2.4	2.4	-8.6	2.9	Recovering/Need Repair	
3. Manufacturing	6.8	5	-0.6	9.8	Recovering/Need Repair	
4. Electricity, gas, water supply & other utility services	6	7.5	-3.6	3.9	Recovering/Need Repair	
5. Construction	4.2	4.6	-7.3	1.9	Recovering/Need Repair	
6. Trade, hotels, transport, communication and services related to broadcasting	6.1. Trade, hotel and repair		8.4	8.1	Still Suffering	
	6.2. Transport, communication and services related to broadcasting					
7. Financial, real estate & professional services	7.1. Financial services			5.1	Resilient	
	7.2. Real estate, and professional services		8.2	5.4		
8. Public Administration, defence and other services	8.1. Public Administration, defence		6.5	7.0	Resilient	
	8.2. Other services				Recovering/Need Repair	
GVA at basic prices		6.6	5.9	-4.8	3.1	Recovering/Need Repair

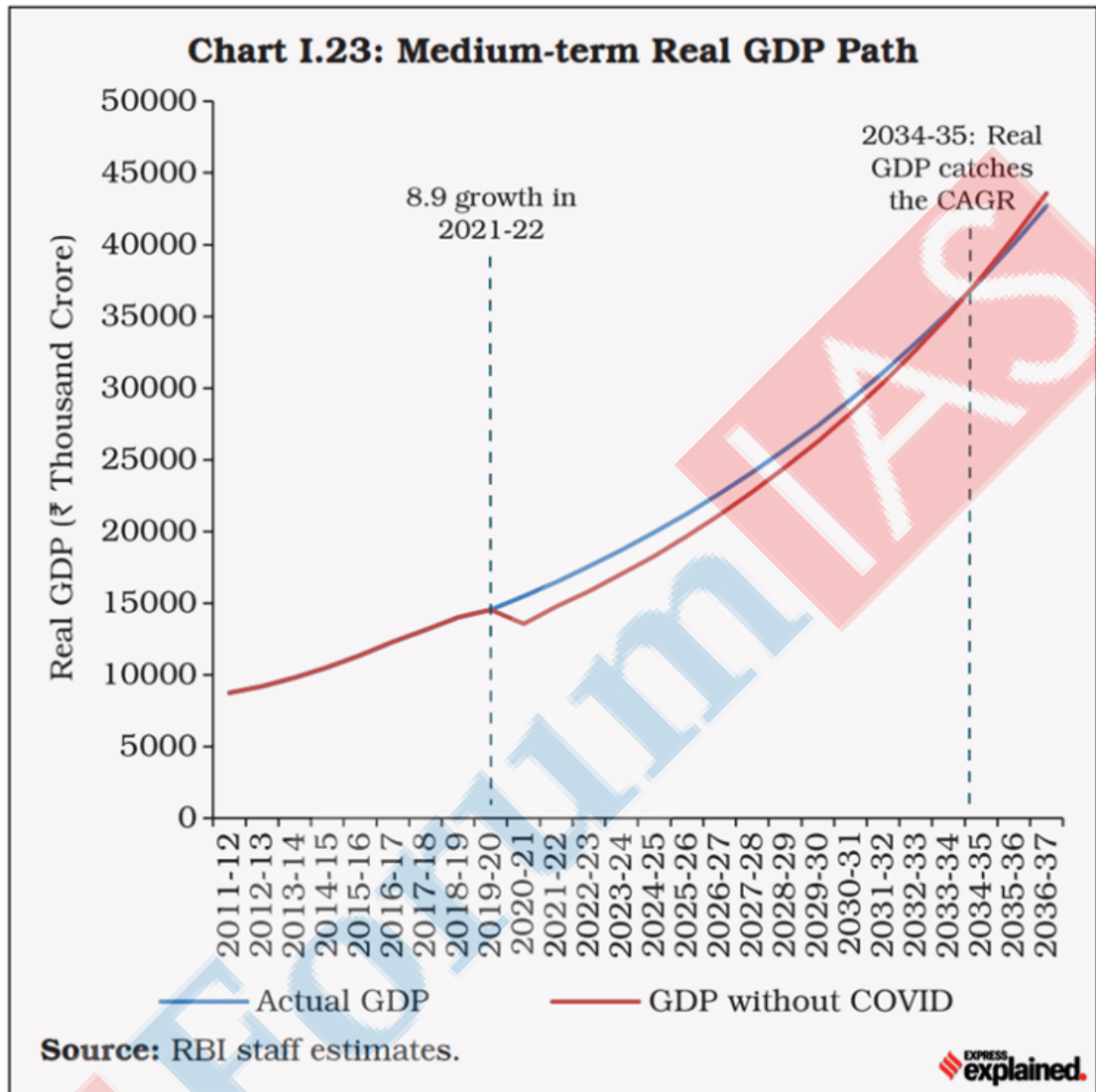
Source: NSO and RBI Staff Estimates.

Source: Indian Express

While the healthier firms have fared better, 'weak firms remained vulnerable with negative profitability, indicating a **divergent recovery within the organised corporate sector**'. The toll on the informal sector has been considerably higher.

### What are the challenges facing the Indian Economy?

**First**, there appears to be divergence between the Government's stand and the picture of the economy shown by the data. This divergence may lead to incorrect policy choices. For instance, in 2019 the government provided a massive Corporate tax cut. It was done to incentivise investments and boost the overall supply in the economy. But the problem in the Indian economy in 2019 was that of faltering consumer demand. Similarly, there is a view that recovery of economy has been uneven and not 'v-shaped' as the Government has asserted. This is also evident from the Report on Currency and Finance which notes that the economy will take almost 12 years to recover the losses due to the pandemic.



Source: Indian Express

**Second**, the **pandemic is not yet over** and a fresh wave of Covid has hit China, South Korea and several parts of Europe. This may again ignite a new wave of infections in India, thereby creating a pressure on the health care system and overall economy.

**Third**, with the **ongoing Russia-Ukraine conflict**, the downward risks to global and domestic growth are getting accentuated through surge in commodity prices and global supply chain disruptions. India too has felt the pressure from the global supply chain disruptions with the supplier's delivery time falling to its lowest point of 29.5 in April 2020.



**Fourth**, the RBI assumes that there would be a growth rate of 7.2% for 2022-23, and 7.5% beyond that which maybe optimistic. In all of India's history, it has registered an average annual GDP growth rate of 7% only during one phase (between 2004-2012).

#### **What are the suggestions to boost economic growth?**

**First**, a feasible range for medium-term steady state GDP growth in India works out to 6.5–8.5%. As per RBI, timely rebalancing of monetary and fiscal policies will likely be the first step in this journey.

**Second, price stability** is a necessary pre-condition for strong and sustainable growth. Reducing general government debt to below 66% of GDP over the next five years is important to secure India's medium-term growth prospects.

**Third**, the Report on Currency and Finance suggests **structural reforms for improving the overall economic scenario**. This includes: **(a)** Enhancing access to litigation free low-cost land; **(b)** Raising the quality of labour through public expenditure on education and health and the Skill India Mission; **(c)** Scaling up R&D activities with an emphasis on innovation and technology; **(d)** Creating an enabling environment for startups; **(e)** Rationalization of subsidies that promote inefficiencies; **(f)** Encouraging urban agglomerations by improving the housing and physical infrastructure.

**Fourth**, the PSU banks should not be dependent on the government for recapitalisation. In the medium term, it is necessary to wean away PSBs from their dependence on government recapitalisation; this will be an important pre-condition to achieve greater privatization of the sector. Further, to **increase the competition in the banking sector** and to introduce innovation, the RBI's 'on tap' licensing policy for universal and small finance banks may be used effectively.

**Fifth**, Industrial revolution 4.0 and committed transition to a net-zero emission target warrant **a policy ecosystem** that facilitates provision of **adequate access to risk capital and a globally competitive environment** for doing business.

**Sixth**, India's ongoing and future free trade agreement (FTA) negotiations may focus on **transfer of technology and better trade terms** for high quality imports from partner countries to improve the outlook for exports and domestic manufacturing.

#### **Conclusion**

The government should now focus on the blueprint of reforms proposed in the Report which revolves around **seven wheels of economic progress**. These are: Aggregate Demand; Aggregate Supply; Institutions, Intermediaries and Markets; Macroeconomic Stability and Policy Coordination; Productivity and Technological Progress; and Structural change and Sustainability.

Source: [Indian Express](#), [Indian Express](#), [Indian Express](#)

## The Issue of Marital Rape – Explained, pointwise

### Introduction

A 2-judge Bench of the **Delhi High Court** has delivered a split verdict in a batch of petitions challenging the **exception provided to marital rape under Section 375 of the Indian Penal Code (IPC)**. One of the Judges held that the exception as unconstitutional, while the other Judge held that the provision is valid. The Judgment has again ignited the debate about criminalization of marital rape in India.

### What is marital rape?

The term marital rape (also referred to as spousal rape) refers to unwanted intercourse by a man on his wife obtained by force, threat of force or physical violence or when she is unable to give consent. The words unwanted intercourse refers to all sorts of penetration (whether anal, vaginal or oral) perpetrated **against her will or without her consent**.

**Read More:** [Explained: The debate over marital rape](#)

### What is the current status of marital rape in India?

In India, the definition of rape under section 375 of **Indian Penal Code** does not include marital rape as a criminal offence.

**Exception 2 to Section 375:** This section provides that **sexual intercourse by a man with his own wife** (provided that wife is over the age of 18) would **not amount to the offence of rape**. This is based on the premise that all sex within marriage is consensual (**perpetual consent**). This exemption allows a marital right to a husband who can with **legal sanction exercise his right to consensual or non-consensual sex** with his wife

Marital Rape is only covered under the **definition of domestic violence** which is defined under the Protection of Women from Domestic Violence Act, 2005. The Domestic Violence Act is a **civil law** and it **only provides for civil remedies** to the wife. Under **Section 376-A** in the IPC, 1860, rape of judicially separated wife was criminalized. Nonetheless, the **Justice Verma committee** constituted in 2012 strongly recommended that the exception under the IPC be removed.

### What is the magnitude of marital rape in India?

In a survey conducted by International Centre for Research on Women (2011) nearly 20% of Indian men have, reportedly, at least once carried out sexual violence against a female partner. In another study by National Health and Family Survey (NFHS-4) for the year 2015-16, 5.6% of women have been reported as victims under the category of “physically forced her to have sexual intercourse with husbands even when she did not want to”.

The recently released NFHS-5 report has found that 30% women between the ages 18 and 49 years have experienced physical violence since the age of 15 years, and 6% have experienced sexual violence in their lifetime. But even amongst 6% women who have admitted to sexual assault, over 80% women have said the perpetrator is their husband. So marital sexual violence is widely prevalent.

### What is the global status regarding criminalization of marital rape?

The marital rape immunity is known to several post-colonial common law countries. However, Australia (1981), Canada (1983), and South Africa (1993) have enacted laws that criminalise marital rape. Similarly, in 2003 marital rape was outlawed by legislation in the UK. More than 150 countries had criminalized marital rape by 2019.

### What are prominent cases associated with marital rape?

**Exception two of Section 375** is also under challenge before the Gujarat High Court on the grounds that it undermines consent of a woman based on her marital status.

Similarly, the Karnataka HC has recently **allowed the framing of marital rape charges** against a man despite the exemption in law.

**Read More:** [A far reaching verdict that ends a regressive exception](#)

**Nimeshbhai Bharatbhai Desai vs State of Gujarat (2017) case:** In this case, the Gujarat High Court elaborately dealt with the issue of marital rape. The Court stated that “making marital rape an offense will remove the destructive attitudes that promote the marital rape”. However, due to the non-recognition of marital rape as a crime, the Court held that the husband is liable only for outraging her modesty and unnatural sex.

**Independent Thought v. Union of India (2017) case:** In this case, the **SC has criminalised sexual intercourse with a minor wife** aged between 15 and 18 years. But, the SC refused to delve into the question of marital rape of adult women while examining an exception to Section 375.

**Read More:** [Marital Rape: An indignity to women](#)

### Why should marital rape be criminalized?

**First**, marital rape abuses, humiliates, degrades and violates the dignity of woman thereby **undermining their bodily integrity** and violating **Article 21** i.e Right to Life.

**Second**, it is against the **right to equality** (Article 14) to apply different criminal provisions on women based on their marital status. Also, if the husband is accused of gang-rape of his wife, then he will not be punished thereby undermining equal treatment of between all accused persons.

**Third**, it is a severe form of sexual violence that is punishable in many civilized society as a symbol of **gender justice**.

**Fourth**, decriminalizing marital rape simply means **concretizing the patriarchal mindset in the society**, under which husbands believe that wife is their property and they can do anything with them.

**Fifth**, the civil remedies for marital rape include protection orders, judicial separation and monetary compensation. Thus, the 2005 Act only provides a recourse to the woman to remove themselves from the violent and dangerous situation and **does not do anything to deter the violent behavior of husbands**.

**Sixth**, giving immunity to marital rape **erodes women’s power** to negotiate contraception, to protect themselves against sexually transmissible disease and to seek an environment of safety.

**Seventh**, it has a deep psychological impact on the victim women. According to one study, women victims of marital rape are twice as likely to experience depression.

**Read More:** [The country must criminalize marital rape right away](#)

### What are the challenges associated with criminalization of marital rape?

**First**, some experts believe that the **institution of marriage is sacrosanct in society** which needs to be upheld at all costs and all procreative sex within marriage is legitimate.

**Second**, it will further increase the **threat to a woman's life** by her husband and her in-laws. Any attempt to go against them may lead to further atrocities and an attempt on her life.

**Third**, dissatisfied, angry, vengeful wives might charge their innocent husbands with **false cases** of marital rape. Further, it will be **difficult for husbands to prove their innocence**.

**Fourth**, there are issues as these crimes are committed in a space where there are no eyewitnesses. But this is the same for other crimes of Rape and POCSO.

### What lies ahead?

**First**, Even though the Court has delivered a split verdict, its intervention moves the needle in favour of doing away with the marital rape exemption in law. One of the Judges' opinion takes the conversation forward on the subject, and sets the stage for a larger constitutional intervention before the Supreme Court.

Article 142 grants exceptional powers to SC. Under this, SC has the equivalent power of a lawmaker. So, **in failure of Parliamentary legislation, the Courts can strike down the exception to Section 375**.

**Second**, the laws alone cannot be used to fight marital rape issues, **societal change is pivotal**. Societal change is important, as there is a need to challenge not just the issue of patriarchy, but the very notion of perpetual consent under marriage.

### Conclusion

The principle of equality and non-discrimination is important, and it is enshrined in our Constitution. This should permeate through each law of the country including Section 375 of the Indian Penal Code. It is high time that India realizes that a marriage license cannot be a substitute for a woman's consent.

**Source:** [Indian Express](#), [Indian Express](#), [Indian Express](#), [The Hindu](#)

## High Inflation: Impact and the Policy Response – Explained, pointwise

### Introduction

India's retail inflation **rose to 7.8% in April**, according to the latest data released by the Ministry of Statistics and Programme Implementation i.e., the general price level Indian consumers faced was almost 8% higher than it was in April 2021. This is **the highest rate in the last eight years**. It is also almost twice the inflation rate targeted by the Reserve Bank of India. Since October 2016, the RBI is required to maintain retail inflation at a level of 4%+-(2%) i.e., between 2%-6%. The RBI has responded by raising the interest rates in-between the scheduled MPC meetings. While most analysts have welcomed the RBI move, they also feel that more needs to be done to curb the inflation.

### Key Terms:

- **Headline Inflation:** It is a measure of total inflation in an economy. In India, Consumer Price Index Combined (CPI -C) represents Headline Inflation.
- **Consumer Price Index:** This index had different categories with varying weights. There are three main categories: FOOD ITEMS, which account for 46% of the index; FUEL &

LIGHT, with a weight of 7% and CORE, all other items, which make up the remaining 47%.

- **Core Inflation:** It is Headline Inflation minus commodities having volatile prices like food and fuel inflation. It is a reflection of the long term inflationary trend in the economy.

### What are the recent trends in inflation?

Retail inflation has been high since October 2019 and has, in fact, touched the 4% mark just once since then. In all other months, it has regularly breached the 6% mark. April's inflation is the seventh straight month when the inflation rate has gone up. India's retail inflation rose by 7.79% in April and inflation in food items rose by 8.38%. However, the biggest jump was registered in fuel prices, which rose by almost 11% in April. Among the states, West Bengal, Madhya Pradesh and Telangana faced the highest levels of overall consumer inflation. The Wholesale Price Index has been in the double digits since April 2021.

### What are the reasons behind high inflation?

**Russia Ukraine Conflict:** The ongoing conflict has created shortages of various commodities like wheat, oil and gas etc. The shortage has been created by disruption of supply chains due to the war hitting the exports from these 2 nations. Further, the series of sanctions imposed by the west on Russia has further enhanced the global prices of commodities.

**Pandemic:** In 2020-21, when the pandemic hit the economy, food prices rose by an even larger factor (7.3%) and the core inflation rose by 5.5%. The Supply chains were disrupted due the lockdowns. The demand has recovered but the supply has not been restored causing rise in prices.

**Monetary Policy:** According to the Dr. C Rangarajan (former RBI Governor), the loose monetary policy after the pandemic has led to excess liquidity in the economy, which has resulted in higher inflation.

**Post Election policies:** An eventual pass-through of the higher crude oil prices to domestic consumers started happening in late March after elections to five Assemblies were completed.

### What are the impacts of high inflation?

**Reduces people's purchasing power:** As per experts, the general price level at the end of 2022 would be around 25% higher than it was at the start of 2019. This would make things expensive and people would buy much less with similar income levels.

**Decrease in Overall Demand:** Consumers will demand fewer goods and services due to reduced purchasing powers. Typically, non-essential demands get curtailed while households focus on the essential items.

**Harms Savers and Helps Borrowers:** High inflation eats away the real interest earned from keeping one's money in the bank or similar savings instruments. Earning a 6% nominal interest from a savings deposit effectively means earning 0% interest if inflation is at 6%. By the reverse logic, borrowers are better off when inflation rises because they end up paying a lower "real" interest rate.

**Helps the government meet debt obligations:** In the short term, the government, which is the single largest borrower in the economy, benefits from high inflation. Inflation also allows the government to meet its fiscal deficit target. Fiscal deficit limits are expressed as a percentage of

the nominal GDP. As the nominal GDP rises because of inflation, the same amount of fiscal deficit (borrowing) becomes a smaller percentage of the GDP.

**Impact on Corporates:** In the short term, corporates, especially the large and dominant ones, could enjoy higher profitability because they might be in a position to pass on the prices to consumers. But for smaller companies, persistently higher inflation will reduce sales and profitability because of lower demand.

**Disproportionate impact on Poor:** The poor are the worst affected because they have little buffer to sustain through long periods of high inflation.

**Worsens Exchange Rate:** High inflation means the rupee is losing its power and, if the RBI doesn't raise interest rates fast enough, investors will increasingly stay away because of reduced returns. For instance, as of May 12, the return on a 10-year Government of India bond was 7.2%. But with inflation at 7.8%, this implies a negative rate of return. In order to prevent the country from adverse impact of inflation, the Reserve Bank of India had already announced a surprise hike of 40 basis points in repo rates on May 4.

#### How does an increase in interest rates reduce inflation?

**Lowers Future Inflationary Expectations:** The Central Bank by credibly committing to bring down inflation through aggressive current actions can bring down expectations of future inflation. If that happens, then demand would be pushed back, alleviating current inflation.

**Attract Foreign Investment:** Higher interest rates attract foreign capital that appreciates the currency, lowering import prices and, in turn, inflation.

**Curbing Credit Growth:** Higher interest rate raises both the cost of borrowing as well as its availability. This reduces credit growth, lowering demand, GDP growth and, eventually, inflation.

#### What are the challenges associated with RBI's interest rate hike?

**Outflow of Foreign Investment:** The Sensex has lost 4,045 points, or 7%, over the last seven trading sessions as FPIs withdrew a net of Rs 23,670 crore since the interest rate hikes by RBI on May 4.

**Reducing Profitability of Companies:** A spike in interest rates will affect the margins of listed entities. Higher interest rates will raise the cost of funds for companies thereby hurting their profitability in coming quarters.

**Anticipated tightening by Federal Reserve:** The intended outcome of an interest rate hike will get diminished provided an interest rate hike is announced by the Federal Reserve.

**Already Slow Credit Growth:** Having recovered from being negative in mid-2021, real credit growth is running just around 2%. This means a rate hike can further impede this miniscule credit growth and reduce GDP growth rate.

**Limited Impact on Inflation:** Many economic experts have opined that the present high inflation is more due to supply constraints, rather than high demand. In this context, the increase in interest rates might have a limited impact in bringing down inflation.

#### What should be done?

**First, the RBI can raise interest rates** in a credible fashion if high inflationary pressure continues. However, given that the economy is still recovering from external shocks, high interest rates may reduce the growth. It could lead to a situation of stagflation.

**Second**, bringing down present high inflation requires a **resolution of geopolitical tensions** in Europe, a much stronger fiscal support from the government, and reforms that help repair the disrupted domestic supply chain. Monetary Policy measures alone may be insufficient to rein-in the inflation.

**Third**, the government can also enter into **special agreements** to combat inflationary pressures. For instance, India secured Russian crude oil in the face of sanctions, reportedly on offer at a discount of \$20-30 per barrel.

### Conclusion

An effective balancing of fiscal and monetary policy by the government is the most prudent way to tackle the growing inflationary pressure on the Indian Economy that would help in keeping the inflation level in the ideal range of 2-4%.

Source: [Indian Express](#), [Indian Express](#), [Indian Express](#), [Indian Express](#), [The Hindu](#)