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**IAS ACADEMY**

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**VEDHIK**

**DAILY NEWS ANALYSIS**

**26 - JULY - 2022**

## **FOREWORD**

We, at Team Vedhik is happy to introduce a new initiative - "Daily Current Affairs\_The Hindu" compilations to help you with UPSC Civil Services Examination preparation. We believe this initiative - "Daily Current Affairs\_The Hindu" would help students, especially beginners save time and streamline their preparations with regard to Current Affairs. A content page and an Appendix has been added segregating and mapping the content to the syllabus.

It is an appreciable efforts by Vedhik IAS Academy helping aspirants of UPSC Civil Services Examinations. I would like to express my sincere gratitude to Dr. Babu Sebastian, former VC - MG University in extending all support to this endeavour. Finally I also extend my thanks to thank Ms. Shilpa Sasidharan and Mr. Shahul Hameed for their assistance in the preparing the compilations.

We welcome your valuable comments so that further improvement may be made in the forthcoming material. We look forward to feedback, comments and suggestions on how to improve and add value for students. Every care has been taken to avoid typing errors and if any reader comes across any such error, the authors shall feel obliged if they are informed at their Email ID.

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# Myanmar executes political prisoners

They include former NLD lawmaker

AGENCE FRANCE-PRESSE  
YANGON

Myanmar's junta has executed four prisoners, including a former lawmaker from Aung San Suu Kyi's party and a prominent activist, state media said on Monday, in the country's first use of capital punishment in decades.

The executions sparked widespread condemnation, heightened fears that more death sentences will follow, and prompted calls for the international community to take sterner measures against the already-isolated junta.

The four were executed for leading "brutal and inhumane terror acts", the *Global New Light of Myanmar* newspaper said, without saying when or how the men were killed.

The junta has sentenced dozens of anti-coup activists to death as part of its crack-down on dissent after seizing power last year, but Myanmar had not carried out an execution for decades.

Phyo Zeya Thaw, a former lawmaker from Ms. Suu Kyi's National League for Democracy (NLD) who was arrested in November, was sentenced to death in Janu-

ary for offences under anti-terrorism laws. Democracy activist Kyaw Min Yu – better known as "Jimmy" – received the same sentence from the military tribunal.

Family members of the two men gathered outside Yangon's Insein prison after news of the executions was published, in the hope of retrieving their bodies, local media reported.

The two other men were sentenced to death for killing a woman they alleged was an informer for the junta in Yangon.

The NLD – which won a landslide in 2020 elections before being ousted by the military months later – said it was "devastated" by the news.

Responding to media enquiries on reports of the executions, a junta statement said "it is as stated in the state media".

## Global condemnation

The executions drew immediate condemnation from the U.S., which slammed the regime for the "execution of pro-democracy leaders and elected officials for exercising their fundamental freedoms".

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# Myanmar junta executes four political prisoners

“We join the people of Myanmar in mourning,” the U.S. embassy in Yangon said in a statement.

Japan’s government – a major provider of economic assistance to Myanmar – said it “seriously deplores” the executions.

France called the executions “a major regression and another phase in the escalating atrocities committed by the Myanmar junta since the coup d’etat”.

The sentiment was echoed by United Nations human rights chief Michelle Bachelet. “This cruel and re-

gressive step is an extension of the military’s ongoing repressive campaign against its own people,” she said in a statement on Monday.

UN rights workers have said that under the junta’s martial law provisions, the death penalty could be given for 23 “vague and broadly defined offences” – which in practice could include any criticism of the military.

The United Nations’ Special Rapporteur on Myanmar Tom Andrews said the “depraved acts must be a turning point”.

# A global order caught up in a swirl of chaos

The Ukraine-Russia conflict is only one of the many strands altering the contours of world governance



M.K. NARAYANAN

Adrift at the end of the 20th century, the world of the 21st century is proving to be highly chaotic. Geopolitical experts in the West confine their findings at present solely to the impact of the Russia-Ukraine conflict, believing that this alone would determine not only war and peace but also other critical aspects as well. This tends to be a myopic view, for the Ukraine-Russia conflict is only one of the many strands currently altering the contours of world governance. Significant developments are also taking place in many other regions of the globe, which will have equal if not more relevance to the future of the international governance system.

What the German Chancellor, Olaf Scholz, said in June 2022 at the end of a three-day gathering of G7 leaders in the Bavarian Alps, sums up the prevailing mood overall, viz., “a time of uncertainty lies ahead of us. We cannot foresee how it will end”. In this case possibly, the German Chancellor was referring only to the fallout from the Ukraine-Russia conflict, for he clearly did not reckon with the fact that many other momentous changes were taking place outside Europe, and which are already beginning to dictate the new order of things. The obsession in the West over the outcome of the Russia-Ukraine conflict, giving it an importance overriding all else, is indeed misleading.

## Europe may be rudderless

European leaders tending to look inwards is, perhaps, not surprising. Europe has been undergoing several major changes in recent months. Germany, which has steered European politics for almost two decades under Angela Merkel, now has a Chancellor (Olaf Scholz) who has hardly any foreign policy experience. Without Germany’s steadying hand, Europe would be virtually adrift in troubled waters. Emmanuel Macron may have been re-elected the President of France, but his wings

have been clipped with the Opposition now gaining a majority in the French National Assembly. This has damaged his image, and Mr. Macron can hardly be expected to provide the kind of leadership that Europe needs at present. The United Kingdom is in deep trouble, if not disarray. Consequently, at a time when actual and moral issues require both deft and firm handling, Europe appears rudderless.

Compounding this situation is the negative economic impact of the war in Ukraine. This is being felt not only in Europe but also across the globe. What is evident already is that apart from the spiralling cost of energy, food and fertilizers, quite a few countries confront the spectre of food scarcity given that Ukraine and Russia were generally viewed as the granaries of the world. Apart from this, nations do face several other problems as well, including, in some cases, a foreign exchange crisis. Many of these problems may have existed earlier but have been aggravated by the ongoing conflict. The impact is being felt now well beyond Europe.

Six months into the Ukraine-Russia conflict, the topology of geopolitics also appears to be undergoing major changes. It is occurring in directions that were not envisaged previously. The instruments employed by the West against Russia, such as sanctions, have not had the desired impact as far as the latter is concerned. It would be a serious error of judgment if the West were to imagine that the unity and the strength displayed by the European nations (backed by the United States and the North Atlantic Treaty Organization on this occasion), has been a win-win situation. The situation in Europe is still to be decided, but what is also becoming obvious is that outside Europe, the conflict is beginning to take on a different dimension, leading to the emergence of new patchworks of relationships.

## A China-Russia link

A churn in global politics is evident. China and Russia, for instance, appear to have further cemented their relationship and the situation is fast veering towards a formal alliance. Russia’s growing closeness to China – further inten-



GETTY IMAGES/ISTOCKPHOTO

sified by the Ukraine-Russia conflict – has revived memories of the 1950s Sino-Soviet alliance, and their bonhomie during the 1950s and 1960s. At the time, this had been described as a ‘lips and teeth’ relationship.

Meanwhile, China’s growing influence in the Pacific region, including in the Indo-Pacific, and further strengthened by the entente with Russia, may hardly be a by-product of the Ukraine-Russia conflict, but it has induced fresh energy into a possible conflict between two rival power blocs. Not all the efforts of the United States, including the AUKUS (Australia, the U.K. and the U.S.) and the Quad (the U.S., India, Australia and Japan), or the launch of another Indo-Pacific entity, viz., ‘Partners in the Blue Pacific’ (comprising the U.S., the U.K., Australia, New Zealand and Japan) can hope to effectively stem the winds of change sweeping across the Pacific and the Indo-Pacific. Understanding the changing nature of relationships in Asia, and considering that most Asian nations appear unwilling to take sides in the event of a conflict, is important. Unlike the unity and the strength displayed by European nations – backed by the U.S. and NATO – to checkmate Russia, and diminish its image, there is no evidence of any such unity of purpose in the event that China was to launch a conflict with Taiwan.

## India and its neighbourhood

In the prevailing atmosphere, India does find itself wedged into a difficult situation. It cannot ignore the situation created by the stronger bonds between Russia and China. While relations with China may continue to remain uncertain and unsatisfactory (for some time at least), India will need to determine whether Russia can be expected to play a role as a ‘trusted

friend’ of India’s. Again, it would be too much to hope that in dealing with China, India can expect the same kind of support it may need from the Quad. China, however, seems intent on establishing its dominance and also sidelining India in Asia, which New Delhi would have discerned in the course of the virtual BRICS Summit hosted by China in June. China’s newfound confidence and its attempt to hijack the situation as part of its preparations for a new world order was very much in evidence on that occasion.

Apart from China, India also urgently needs to come to terms with a Taliban Afghanistan. Its attempt to devise a working relationship with a Taliban Afghanistan without having to compromise with its previous policy of ‘no truck’ with the Taliban is as yet in a very nascent stage. Time is, however, of the essence.

At this time, the democratic upsurge in Sri Lanka which has resulted in the removal of the Rajapaksas from power, presents India with a fresh set of problems. India’s relation with the previous regime could at best be termed correct, rather than cordial, but in a situation where ‘rage’ and ‘anger’ are the dominant sentiments, there is every reason for concern that even governments that have maintained a ‘hands-off’ relationship could become targets of the new forces emerging in Sri Lanka. There are also aspects of the Sinhala ‘Janata Aragalaya’ that need to be carefully studied, to ensure that its advent does not result in the emergence of an anti-India atmosphere in Sri Lanka.

## Churn in West Asia

In the 21st century, among other major developments taking place, is the kind of churn that is continuing in West Asia. The Abraham Accords in 2020, which brought about the entente between the United Arab Emirates and Israel, has been the harbinger of certain new trends in the tangled web of relationships among countries of West Asia. But even as the U.S.’s relations with Arab nations in West Asia appear to weaken, Russia and China are beginning to play key roles, with Iran as the fulcrum for establishing new relationships. Russia’s forays into West Asia have taken a quantum leap. Relations

with Iran have been firmed up. China continues to steadily build on its connections with the region, and with Iran in particular.

For its part, India has been making steady progress in enlarging its contacts and influence in West Asia. While the India-Israel relationship dates back to the 1990s, the India-UAE relationship has blossomed in the past couple of years. India-Iran relations, however, seem to have reached a stalemate of late. India has, however, been inveigled into joining a U.S.-based group, the I2U2, comprising India, Israel the UAE and the U.S. The U.S. has indicated that this body could become a ‘feature’ of the West Asian region, just like the Quad was for the Indo-Pacific. Details of the new arrangements are unclear, but it is evident that the target is Iran, as China is for the Quad, injecting yet another element of uncertainty into an already troubled region.

## Nuclear deterrence

Finally, and in the wake of western allegations about the possible use by Russia of tactical/battlefield nuclear weapons, concerns are beginning to be expressed by U.S. academics – many with close connections to the establishment – of an existing gap between India and China in terms of India’s nuclear deterrent capability. The argument being adduced is that a wide gap exists today in regard to China and India’s nuclear deterrent capabilities, and implicitly blames India for its voluntary ban on testing and its ‘no-first-use’ doctrine from making progress in this arena. What is also implied is that India could overcome the lacuna by seeking the assistance of western nations which have such capabilities and knowledge. It is unclear, as of now, whether this has any traction among officials in the West, but it is important for India to guard against such pernicious attempts at this time to undo its carefully negotiated and structured nuclear policy and doctrine, and be inveigled into any anti-China western move on this front.

M.K. Narayanan, a former Director, Intelligence Bureau, a former National Security Adviser and a former Governor of West Bengal, is currently Executive Chairman of CyQureX Pvt. Ltd., a U.K.-U.S.A. cyber security joint venture

## EXPLAINER

# The latest guidelines on arrests and bail orders

Why have fresh provisions been issued by the Supreme Court? What are the directions ordered with respect to undertrial prisoners?

G.S. BAJPAI  
ANUBHAV KUMAR

**The story so far:** On July 11, a division bench of the Supreme Court of India in *Satender Kumar Antil vs CBI* laid down fresh guidelines on arrests in order to have strict compliance with the provisions of Section 41 and 41A of the Code of Criminal Procedure, 1973. These guidelines are in addition to the earlier ones which the apex court had already laid down in the case of *Armesh Kumar vs State of Bihar* (2014). The Court in the present case has also emphasised upon separate legislation on the law relating to bail and has also issued specific directions in this regard. On July 16, even the Chief Justice of India (CJI) cautioned against “hasty and indiscriminate arrests”. He further commented on the delay in bails and the plight of undertrial prisoners.

### How is a person arrested?

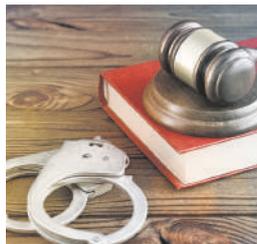
Arrest in its simplest form is defined as, “when one is taken and restrained from his liberty”. The police has wide powers to arrest under the Code of Criminal Procedure, 1973. In the *Joginder Kumar* (1994) verdict, the Court had stated that

“arrest and detention in police lock-up of a person can cause incalculable harm to the reputation and self-esteem of a person”. Further, in the case of *Armesh Kumar*, the apex Court had rightly observed that “arrest brings humiliation, curtails freedom and cast scars forever”. In recent times, there have been several controversies regarding the arrest and subsequent bail of accused persons.

With regard to the *Satender Kumar Antil* case, the Court has issued specific directions and has also called for a compliance report. The Court said that the investigating agencies and their officers are duty-bound to comply with the mandate of Section 41 and 41A and the directions issued in the *Armesh Kumar* case.

### What are Sections 41 and 41A of the Code of Criminal Procedure?

Section 41 of the Code provides for the circumstances in which arrest can be made by the police without a warrant and mandates for reasons to be recorded in writing for every arrest and non-arrest. Section 41A of the Code provides for the requirement of a notice to be sent by the investigating agencies before making an arrest in certain conditions prescribed by



the Code. The Court stated that any dereliction on the part of the agencies has to be brought to the notice of the higher authorities by the court followed by appropriate action. The Bench further said that the courts will have to satisfy themselves on the compliance of Section 41 and 41A. Any non-compliance would entitle the accused for grant of bail.

### What are the guidelines with respect to bail?

Regarding bail, the Court has made a specific observation in the form of an obiter that the Government of India may

consider the introduction of a separate enactment, in the nature of a Bail Act, so as to streamline the grant of bails.

As part of the new guidelines, it is clearly stated that there need not be any insistence on a bail application while considering the application under Sections 88, 170, 204 and 209 of the Code. The Court said that “there needs to be a strict compliance of the mandate laid down in the judgment of this court in *Siddharth*” (*Siddharth vs State of U.P.*, 2021). It is a clear direction of the Court that bail applications ought to be disposed of within a period of two weeks except if the provisions mandate otherwise – the exception being an intervening application. The Court also said that “applications for anticipatory bail are expected to be disposed of within a period of six weeks with the exception of any intervening application”.

### What steps need to be taken for compliance of these orders?

The State and Central governments will have to comply with the directions issued by the Court from time to time with respect to the constitution of special courts. The High Court in consultation with the State governments will have to

undertake an exercise on the need for special courts. The vacancies in the position of Presiding Officers of the special courts will have to be filled up expeditiously. The CJI has also raised the issue of vacant positions and infrastructural requirements in the judiciary.

### What about undertrial prisoners?

The High Courts have been directed by the apex court to identify undertrial prisoners who cannot comply with bail conditions. After doing so, appropriate action will have to be taken in the light of Section 440 of the Code, facilitating their release. Under Section 440, the amount of bond shall not be excessive, and high courts and sessions courts may reduce the amount prescribed by the magistrate or a police officer. An exercise will have to be done similarly to comply with the mandate of Section 436A of the Code, under which a person imprisoned during investigation or trial shall be released on bail on completion of half of the jail term prescribed for that offence.

*G.S. Bajpai is the Vice Chancellor, Rajiv Gandhi National Law University, where Anubhav Kumar is Assistant Professor*

## THE GIST

■ A division bench of the Supreme Court in *Satender Kumar Antil vs CBI* has laid down fresh guidelines on arrests in order to have strict compliance of the provisions of Section 41 and 41A of the Code of Criminal Procedure, 1973.

■ Section 41 provides for the circumstances in which arrest can be made by the police without a warrant. Section 41A provides for the requirement of a notice to be sent by the investigating agencies before making an arrest in certain conditions.

■ The High Courts have also been directed to undertake the exercise of finding out the undertrial prisoners who are not able to comply with bail conditions.

# Reform bail law, but make the right diagnosis first

Any reimagination of the law needs to examine the exact nature of what is causing large-scale undertrial incarceration



MEDHA DEO & MAYANK LABH

Over 75% of India's prison population are undertrials while overcrowding in Indian prisons stands at 118%. These stark realities are often cited to represent the scale of the crisis in India's criminal justice system. The Supreme Court of India recently acknowledged, in *Satender Kumar Antil vs CBI*, the ineffectiveness of India's bail system and its contribution to this crisis. The Court noted that despite repeated guidelines on bail law, things have not changed much on the ground. The Court provided comprehensive guidelines on laws related to bail, such as mandating timelines for the disposal of bail applications and laying emphasis on the need to enact a separate legislation. The judgment noted that crowding jails with undertrial prisoners ignored the principle of 'presumption of innocence' and that 'bail not jail' should be the norm. However, there is still a need to reflect on why these established principles are honoured more in their breach than observance.

Any reimagination of the law on bail needs to first understand the exact nature of the problem that results in large-scale undertrial incarceration. This assessment needs to be based on multiple parameters and we have no real em-

pirical evidence on how each of these impacts the issue. What proportion of undertrials are applying for bail? What proportion of bail applications are accepted or rejected, and on what grounds? Is bail compliance a far bigger problem than denial of bail? These are some fundamental empirical questions which need answers. An effective bail law must be based on the correlation of these answers with variables such as the demographics of undertrials, category of offences and timelines for bail, and also address socio-economic and structural barriers. The foundations of the current bail law ensure that it is anti-poor and disproportionately burdens those from marginalised backgrounds. The solutions we intend to craft must be based on a deep and realistic understanding of the problem.

## Lack of safeguards

The Court averred that effective enforcement of safeguards against arbitrary arrest would eliminate the need to seek bail from courts. However, these safeguards exclude a significant proportion of arrested persons, especially those from disadvantaged sections of society, who form the large majority of undertrial prisoners. For example, the arrest of a person is justified as 'necessary' if the police have 'reasons to believe' that it is required to ensure their presence in court. Such vague justifications put migrants, persons without assets or those with no contact with family at higher risk of arrest because of their socio-economic conditions. Data from the Fair Trial



GETTY IMAGES/STOCKPHOTO

Programme (FTP) in Yerwada and Nagpur central prisons can be instructive here. Of the undertrials (2,313) represented by the FTP, 18.50% were migrants, 93.48% did not own any assets, 62.22% did not have any contact with family, and 10% had a history of previous incarceration. Evidently, a significant proportion from the sample would be unjustifiably excluded from protections against arrest and contribute to the large proportion of undertrials in our prisons.

## Approach to bail adjudication

The power to grant bail is largely based on the court's discretion and depends on the facts of each case. The Supreme Court has time and again laid down principles for guiding the exercise of such discretion by courts in deciding bail applications. While these guidelines lay stress upon the need to release applicants on bail, they also validate the denial of bail or imposition of onerous bail conditions based on the gravity of the offence, character of the accused and likelihood of the accused absconding or tampering with evidence. In all such cases, courts rarely exercise their discretion for

granting bail and are likely to take a more stringent approach against release on bail. Despite existing guidelines, courts do not usually record reasons for rejecting bail; the rationale behind how courts factor in offence-based and person-based considerations in deciding bail applications remains unclear.

This is important because marginalised persons bear the brunt of these broad exceptions. They are either denied bail or granted bail with onerous conditions, in absolute disregard of their realities. Bail conditions in the nature of cash bonds, surety bond, proof of property ownership and solvency, as is commonplace, are at odds with the reality of undertrial prisoners languishing in jails.

## Challenges in bail compliance

A large number of undertrials continue to remain in prison despite being granted bail due to challenges in complying with bail conditions. Lack of means to arrange for money/property and local sureties are the most significant reasons accounting for an undertrial's inability to comply with bail conditions, realities borne out by our experience in the FTP. However, factors such as lack of residence and identity proof, abandonment by family and limitations in navigating the court system also undermine an undertrial's ability to comply with bail conditions. Compliance with bail conditions and ensuring presence in courts for the overwhelmingly structurally disadvantaged undertrials requires constant handholding, as is

evident by the FTP's interventions in the past three years. This is a crucial aspect of ensuring last mile delivery of justice that the extant bail law does not consider.

Our experience shows that in 14% of cases, undertrials were unable to comply with bail conditions and remained in prison despite being granted bail. In almost 35% of these cases, it took over a month after obtaining the bail for undertrials to comply with bail conditions and secure their release.

## Flawed assumptions

The bail system, as it currently operates, has flawed assumptions that every arrested person will be propertied or have access to propertied social connections. It presumes that the risk of financial loss is necessary to ensure the presence of the accused in court. Such assumptions have the effect of rendering the rule of 'bail not jail' meaningless for a significant proportion of undertrial persons. For any bail law to effectively provide relief, a careful re-evaluation of the said presumptions is imperative. There is an urgent need for bail reform but it would be counterproductive to undertake a reform exercise without first developing the empirical basis to understand and diagnose the problem at hand.

Medha Deo and Mayank Labh are with the Fair Trial Programme, an undertrial legal aid initiative at Project 39A, National Law University Delhi. The programme provides legal aid to undertrials in Pune and Nagpur central prisons

# Droupadi Murmu is President of India

This is not my personal achievement, it is the achievement of every poor person in country, she says

SANDEEP PHUKAN  
NEW DELHI

Droupadi Murmu took the oath of office as the 15th President of India on Monday, and created history by becoming the first tribal head of state and second woman to occupy the country's highest constitutional post.

"That I attained the post of President is not my personal achievement; it is the achievement of every poor person in India. My election is a proof of the fact that the poor in India can have dreams and fulfil them too," the new President said after being sworn in by Chief Justice of India N.V. Ramana at the Central Hall of the Parliament. Ms. Murmu, who succeeds Ram Nath Kovind, is the country's youngest President at 64.

She took her oath of office in Hindi and in the name of God to "preserve, protect and defend the Constitution and the law."

"It is a tribute to the power of our democracy that a daughter born in a remote tribal area can reach the highest constitutional position in India," she said as she marked her journey from Odisha's Mayurbhanj – one of the most underdeveloped districts in India – to the Rashtrapati Bhavan.

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**Change of guard:** Newly sworn-in President Droupadi Murmu and outgoing President Ram Nath Kovind, during the Guard of Honour at Rashtrapati Bhavan on Monday. She created history by becoming the first tribal head of state. ■R.V. MOORTHY

# Droupadi Murmu is President of India

Former President Mr. Kovind, Rajya Sabha Chairman M. Venkaiah Naidu, Lok Sabha Speaker Om Birla and CJI Ramana were on the dais while other dignitaries, including former President Pratibha Patil, Prime Minister Narendra Modi, Congress president Sonia Gandhi and Odisha Chief Minister Naveen Patnaik were seated in the front row seat of the historic Central Hall.

## ‘A watershed moment’

Mr. Modi said Ms. Murmu assuming the Presidency was a “watershed moment” for the “poor, marginalised and downtrodden”. “In her address after taking oath, President Droupadi Murmu *Ji* gave a message of hope and compassion. She emphasised India’s accomplishments and presented a futuristic vision of the path ahead at a time when India is marking Azadi Ka Amrit Mahotsav,” the Prime Minister said.

The day began with the outgoing President Mr. Kovind and Ms. Murmu arriving in a majestic procession from the Rashtrapati Bhavan to the Parliament Building, escorted by the horse-mounted President’s Bodyguards.

The traditional gold-plated presidential buggy (horse-drawn carriage) was not part of the oath-taking ceremony. The outgoing

President escorted his successor from the Rashtrapati Bhavan to Parliament House for the swearing-in ceremony in a presidential limousine.

India’s new President was given a 21-gun salute after which she signed the oath register amid thunderous applause and thumping of desks. Following the short ceremony, Ms. Murmu and Mr. Kovind were escorted out of the Central Hall amid the roll of drums and blowing of trumpets.

The new Commander-in-Chief of the armed forces inspected a tri-Services guard of honour in the forecourt of the Rashtrapati Bhavan. Mr. Kovind and his family, who moved to their new address of 12 Janpath bungalow in Lutyens’ Delhi, were given a formal send-off by the Prime Minister and other dignitaries as well as the Rashtrapati Bhavan staff.

Ms. Murmu’s speech in the Central Hall laid down her vision of *sabka prayas* (everyone’s effort) and *sabka kartavya* (everyone’s duty) to fulfil the expectations of freedom fighters and citizens of independent India.

Starting out as a BJP councillor in Odisha’s Rairangpur Notified Area Council in 1997, she became a Minister in the Biju Janata Dal-Bharatiya Janata Party coalition government in the State between 2000 and 2004.

# SC Collegium recommends 35 names for judges in six HCs

Clears proposal to elevate 20 advocates, 15 judicial officers

**PRESS TRUST OF INDIA**

**NEW DELHI**

In a significant step to fill vacancies in the higher judiciary, the Supreme Court Collegium headed by Chief Justice N.V. Ramana on Monday approved and recommended to the Centre the proposal for the elevation of 20 advocates and 15 judicial officers as judges in six High Courts.

The Collegium, which also comprises Justices Uday Umesh Lalit and A.M. Khanwilkar, approved the proposal for the elevation of a maximum of 13 advocates as judges in the Punjab and Haryana High Court, followed by the elevation of six advocates for the Telangana High Court. “The collegium in its meeting has approved the proposal for elevation of the following (13) advocates as judges in the Punjab and Ha-



ryana High Court” and they are Nidhi Gupta, Sanjay Vashisth, Tribhuvan Dahiya, Namit Kumar, Harkesh Manuja, Aman Chaudhary, Naresh Singh, Harsh Bungar, Jagmohan Bansal, Deepak Manchanda, Alok Jain, Harpreet Singh Brar, and Kuldeep Tiwari.

The names of six lawyers for the judgeship in the Telangana High Court were also recommended by the collegium and they are “Enugula Venkata Venugopal, Nagesh Bheemapaka, Pulla Karthik @ P. Elamad-

har, Kaja Sarath @ K. Sarath, Jaggannagari Sreenivasa Rao @ J. Srinivas Rao, and Namavarapu Rajeshwar Rao,” the resolutions of the Collegium said. Woman lawyer Suman Pattanayak was also recommended as a judge of the Orissa High Court, a statement said. Out of the 15 judicial officers, nine names were recommended to the Centre for the judgeship in the Calcutta High Court. They are Biswaroop Chowdhury, Partha Sarathi Sen, Prasenjit Biswas, Uday Kumar, Ajay Kumar Gupta, Supratim Bhattacharya, Partha Sarathi Chatterjee, Apurba Sinha Ray, and Md. Shabbar Rashidi. Two women judicial officers – Susmita Phukan Khaund and Mitali Thakuria – have been recommended for the judgeship in the Gauhati High Court.

# Learning lessons

India must step up research and prepare adequate defences against monkeypox

The World Health Organization, for the second time in two years, has declared a viral outbreak to be a Public Health Emergency of International Concern (PHEIC). With four cases confirmed in India and around 14,500 cases globally, monkeypox outbreaks have triggered international consternation in a world that is yet to recover from the COVID-19 pandemic. After a split verdict at the International Health Regulations Emergency Committee meeting – on whether monkeypox deserves to be termed a PHEIC – it fell on WHO's Director-General, Dr. Tedros Ghebreyesus, to take a call. A PHEIC is just one step short of a 'pandemic' classification. Following the declaration of COVID-19 as a pandemic on March 11, 2020, WHO had come under criticism for not responding with alacrity on the public health threat that the coronavirus pandemic portended. It had termed the COVID-19 crisis as a PHEIC on January 30, 2020 when global cases were around 7,500, or about half the levels now reported for monkeypox. The following February was the pivotal month that compelled WHO to elevate threat levels and push the world into territory that it had not navigated since the 1918 influenza pandemic. Though monkeypox is caused by a virus that is endemic in a few African countries, the world took note only after it was first reported in the U.K. on May 6, 2022. Within a month-and-a-half, it spread to 63 countries, with Spain, Belgium and the U.S – historically non-endemic for the virus – beginning to report a spike in cases. In Africa too, transmission has been historically limited and there is uncertainty over the events that have caused such a global spike.

Monkeypox, for now, has more visible manifestations such as rashes and blisters and is said to be over-represented in men who have sex with men. It is believed to spread only through close contact and is fatal only to the extremely immunocompromised. WHO has recommended that countries step up surveillance, amplify public awareness campaigns, governments work towards not stigmatising the disease, and health infrastructure be primed towards producing diagnostic kits. The experience from the COVID-19 pandemic has shown that governments implement measures to avoid 'panic' but are often opaque and vague with the information necessary to quell it. While it is unclear how the monkeypox outbreak will play out in the months to come, the Government must begin coordinated action with the States to accurately summarise and disseminate the extent of the threat. Until now, monkeypox fell under the category of neglected tropical diseases. Related to the eradicated smallpox virus, monkeypox is suspected to have amplified due to reduced immunity against the smallpox virus. Indian labs and biotech companies must step up research and mine their arsenal to prepare adequate defences if the need arises.

# EAC member backs RBI's use of forex reserves to stabilise rupee

## Must sustain macro-stability, allow cycle to play out: Sanyal

REUTERS  
MUMBAI

The Reserve Bank of India (RBI) is justified in using the country's foreign exchange reserves to smooth out volatility in the rupee's moves against the dollar, a member of the Economic Advisory Council said on Monday.

"I think that the RBI is correct to use the FX reserves to smooth movement in the INR/USD... There is no point targeting a INR/USD level when USD is appreciating against all other majors," Sanjeev Sanyal told the Reuters Global Markets Forum (GMF) in an interview.

"Longer term, we need to maintain overall macro-stability and allow the cycle to



Sanjeev Sanyal

play itself out," said Mr. Sanyal, who was previously India's Principal Economic Adviser. The Council he now sits on advises Prime Minister Narendra Modi and the government on economic policy. The rupee has fallen about 7.4% against the dollar

year-to-date but on Monday rose 12 paise to 79.78 compared with the previous session.

The dollar has risen about 11.2% against a basket of currencies as markets brace for more U.S. interest rate increases amid surging inflation and signs of a weakening global economy.

Mr. Sanyal also said India's inflation was almost entirely imported and, as an oil importer, something it could do little in the short term to control. Global oil and other energy costs have spiked this year, driven higher by the impact of the war in Ukraine and broader supply-chain issues.

*(With PTI inputs)*

## EXPLAINER

# The private sector boost in India's space industry

How does a strong space sector contribute to overall development? Why are private players being encouraged to invest?

SAPTAPARNO GHOSH

**The story so far:** Principal Scientific Adviser Ajay Kumar Sood stated earlier this month that the government would soon come up with a new space policy that could initiate the rise of India's own "SpaceX-like ventures". Mr. Sood stated that the proposed move would increase private sector participation in the industry. Consultations have already been held and the final version of the policy would soon be referred to the Empowered Technology Group for further examination. According to Mr. Sood, India has not tapped into its complete potential in this sector. "In 2022, the space sector is witnessing what the information technology sector experienced in the 1990s. We will have our own SpaceX (SpaceX is Elon Musk's private space transportation company) in the next two years," he said.

### Why is development in the space sector important?

Enhancing space technology would be beneficial to bolster connectivity and combat climate-related implications through a more secure and effective means.

### The space avenue is an integration of the aerospace, IT hardware and telecom sectors. Investment in this arena would foster positive carryover effects to other sectors as well.

Satellites provide more accurate information on weather forecasts and assess (and record) long-term trends in the climate and habitability of a region. For example, by monitoring the long-term impact of climate change at regional, territorial, and national scales, governments would be able to devise more pragmatic and combative plans of action for farmers and dependent industries. Additionally, they can also serve as real-time monitoring and early-warning solutions against natural disasters such as earthquakes, tsunamis, floods, wildfires, mining etc. Real-time tracking can also serve multiple purposes in defence.

As for connectivity, satellite communication can reach more remote areas where conventional networks would require a heavy complimenting infrastructure. Additionally, as to reliability, the World Economic Forum had stated (in

September 2020) that satellite communication can help connect 49% of the world's unconnected population. In this light, it must be noted that satellite communications, which are used to facilitate telecommunication services, are among the major categories for investment in the space technology sector. Other prominent categories include spacecraft and equipment manufacturing.

What essentially needs to be remembered is that the space avenue is an integration of the aerospace, IT hardware and telecom sectors. It is thus argued that investment in this arena would foster positive carryover effects to other sectors as well.

### Where does India stand in the global space market?

As per SpaceTech Analytics, India is the sixth-largest player in the industry internationally having 3.6% of the world's space-tech companies (as of 2021). U.S. holds the leader's spot housing 56.4% of all companies in the space-tech ecosystem. Other major players include U.K. (6.5%), Canada (5.3%), China (4.7%) and Germany (4.1%).

The Indian Space Industry was valued at \$7 billion in 2019 and aspires to grow to \$50 billion by 2024. The country's standout feature is its cost-effectiveness. India holds the distinction of being the first country to have reached the Mars' orbit in its first attempt and at \$75 million – way cheaper than Western standards.

Most companies in the sector, globally, are involved in manufacture of spacecraft equipment and satellite communications. The Union Minister of State for Science and Technology Dr. Jitendra Singh had stated earlier this month that of the 60-odd start-ups that had registered with the Indian Space Research Organisation (ISRO), a majority of them were dealing in projects related to space debris management. As space becomes more congested with satellites, the technology would thus help in managing 'space junk' (debris of old spacecraft and satellites).

U.S. and Canada were the highest receivers of space-related investment in 2021. A scrutiny of SpaceTech data puts forth that U.S. alone has more companies in the sector than the next 15 countries combined. Forbes pointed out in May 2021 that, "...it helps when your country's government



budget in the realm is six times larger than its nearest competitor." Its space budget was \$41 billion in 2021, \$23.3 billion of which was focused on NASA. The spur in research and innovation driven by government-led spending could also be attributed to the global concentration of considerable number of private investors in the country.

India's total budgetary allocation for FY2022-23 towards the Department of Space was ₹13,700 crore. Further, as per Tracxn data, funding into the sector's start-ups (in India) nearly tripled to \$67.2 million on a year-over-year basis in 2021.

### How is the private sector's involvement regulated in India?

In June 2020, the Union government announced reforms in the space sector enabling more private players to provide end-to-end services.

An announcement for the establishment of the Indian National Space Promotion and Authorisation Centre (IN-SPACe) was made. It was mandated the task of promoting, authorising and licensing private players to carry out space activities. As an oversight and regulatory body, it is responsible for devising mechanisms to offer sharing of technology, expertise, and facilities free of cost (if feasible) to promote non-government private entities (NGPEs). . IN-SPACe's

Monitoring and Promotion Directorate oversees NGPE's activities as per prescribed regulations and reports back in case any corrective actions or resolutions are required. ISRO shares its expertise in matters pertaining to quality and reliability protocols, documentations and testing procedure through IN-SPACe's 'interface mechanism'.

Additionally, constituted in March 2019, NewSpace India Ltd (NSIL), is mandated to transfer the matured technologies developed by the ISRO to Indian industries. All of them are under the purview of the Ministry of Defence.

Private sector's involvement in the long term, as with other commercial sectors, is believed to help spur investment and expertise in the realm which is capital-intensive and demands high technology.

Dr. Singh had tabled in a written reply to the Lok Sabha in June 2021 that the space sector reforms were made with the intention to provide a "level playing field" to private companies in satellites, launches and space-based services.

The central idea was to bring forth a predictable policy and regulatory environment for them and additionally provide access to ISRO facilities and assets to improve their capacities.

## THE GIST

- Principal Scientific Adviser Ajay Kumar Sood stated earlier this month that the government would soon come up with a new space policy to increase private sector participation in the industry. Consultations have already been held and the final version of the policy would soon be referred to the Empowered Technology Group for further examination.

- Enhancing space technology would be beneficial to bolster connectivity and combat climate-related implications through a more secure and effective means.

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# Backsliding on climate action

Western nations have started reinterpreting the Paris deal and look to downgrade their commitments



T. S. TIRUMURTI

Countries in Europe led by Germany, Austria and the Netherlands are cranking up their coal plants again. Coal exports to Europe are surging. Fossil fuels are making a comeback and countries are rejecting the European Union (EU)'s plan to reduce natural gas consumption by 15%. Dutch, Polish and other European farmers are protesting against emission cuts from agriculture. Renewables are nowhere near meeting the rising power demand in summer or winter, with record high temperatures now. Hasty and ill-conceived EU climate policies are coming home to roost. While the current problems are being blamed on the Ukraine conflict, and more specifically Russia, they actually started when power prices began surging well before anything happened in Ukraine. Europe is starting at a recession and its appetite for climate action is waning.

## Downgrading commitments

In the U.S. too, the Senate and the Supreme Court have struck blows to climate action. And in the U.S. too, prices of fuel started increasing last year, not just this year. This is causing inflation. Energy security is nowhere near. Fossil fuels are making a quiet comeback, since the strength of the U.S. is its oil and gas industry. That is why we have just witnessed a 're-calibration' of U.S. policy towards the Gulf. The U.S.'s choice is between concentrating on its economy and getting it on track for its people or fighting hard against climate change and facing an irate electorate in November. The choice is clear.

So, coal, oil and gas are not going anywhere in the developed world; they are, in fact, making a comeback. It was foolish to think that the world would miraculously transition, and especially during the COVID-19 pandemic, to renewables. The West had rushed to draw down on fossil fuels even before technology for renewables were in place. Many developing countries are also facing unrest due to skyrocketing energy prices, which



The Mehrum coal-fired power station in Mehrum, Germany ■ AP

are threatening their governments. The United Nations, unsurprisingly, continues to pillory coal. In this scenario, we may do well to remember that it was Prime Minister Narendra Modi who made ambitious pledges on climate change last year in Glasgow at the Conference of the Parties (COP). Further, when India fought to make the COP language closer to our current energy-mix reality by calling for a 'phase down' of coal rather than a 'phase out', the COP President supposedly 'struggled to hold back tears'.

With countries of the developed world almost sure to renege on their 2030 Paris Agreement commitments, countries of the developing world must do everything to hold the countries of the developed world to their commitments and not get unwittingly drawn into their game. In fact, the EU Commissioner of Climate Action and Energy, Miguel Arias Cañete, helpfully signalled that the U.S. can downgrade its pledge under the Paris deal. G-7 leaders met to only backtrack on their pledges, which seems almost inevitable, who do they expect will compensate? The Global South, of course.

And so, the game is on. The Western nations have already started reinterpreting the Paris Agreement and look to downgrade their commitments. If they pull back, what will happen to the Paris deal aim of limiting global warming to below the 2°C limit (leave alone 1.5°C)? More importantly, what can the developing countries do to stop this backsliding by the developed world?

To begin with, we need to understand how the concept of net zero is

being cleverly misinterpreted. To bring this to the attention of the Global South, India, China and eight other countries from Africa, Asia and Latin America made a cross-regional statement on 'global net zero' on June 7 at the UN on World Environment Day. I take the liberty of referring to it at some length.

Article 4 of the Paris Agreement defines 'Global Peaking' thus: "In order to achieve the long-term temperature goal set out in Article 2, Parties aim to reach global peaking of greenhouse gas emissions as soon as possible, recognizing that peaking will take longer for developing country Parties." The cross-regional statement by the 10 countries says, "We believe that the word 'global peaking' is a conscious and considered insertion in the Paris Agreement text with full recognition of the fact that peaking will take longer for developing countries. The developed countries, given their historical emissions, will have to peak first. That's why the reference is to 'global peaking' and not 'individual peaking'. From this, it logically follows that when developing country parties peak later than developed countries, they will also achieve net zero later than developed countries. Consequently, it is the logical conclusion of the Article 4 of the Paris Agreement that when we consider net zero, we should only consider 'global net zero' and not 'individual net zero' for 2050. Any other interpretation will be contrary to Article 4..."

The statement further says, "It becomes clear that a global net zero, where developing countries take longer to reach net zero, can only be achieved if developed countries

reach net zero earlier than 2050. Therefore, developed countries must reach net zero well before 2050 in order to achieve overall global net-zero target by around mid-century..." The statement, therefore, calls on developed countries to "do a net negative" on mitigation by 2050 rather than just "net zero", if they are serious about fighting climate change. In effect, the West needs to do a net minus and not just net zero. To claim that by achieving net zero in 2050, they will keep the temperature within the 2°C limit is a chimera.

Thanks to the efforts of India, the phrase used in the 2021 summit-level declarations at both G-20 and Quad is 'global net zero'. We need to build on this understanding.

## Holding their feet to the fire

But the back-sliding has begun. One of the prime ministerial candidates in the U.K. said recently that the net zero plan "musn't clobber people". This is another way of saying, let's forget about it for the present, shall we? We can't forget about the present or the future. The "global stocktake" of the Paris Agreement will be done in 2023 to assess the world's collective progress towards achieving the long-term goals (Article 14). In the current scenario, this stocktake may well provide the developed countries the right forum to shift the burden of their mitigation commitments on developing countries, knowing well that they will not be able to meet theirs by 2030.

And what is happening to the plan of developed countries mobilising \$100 billion per year by 2020 for climate action in developing countries? Can the Global South transition to renewables without genuine transfer of credible technology? India stands as beacon of hope in renewables. It is time for all developing countries, especially the small island developing states, to make sure that the developed world doesn't backslide on its commitments on mitigation yet again. COP 27 in Egypt gives us that opportunity to hold their feet to the fire. It is time for the developed world to make net minus pledges. If we don't collectively push for it, we will be collectively pushed back.

T. S. Tirumurti is the former Permanent Representative/ Ambassador of India to the United Nations in New York

General Studies Paper I	
A	History of Indian culture will cover the salient aspects of art forms, literature and architecture from ancient to modern times;
B	Modern Indian history from about the middle of the eighteenth century until the present-significant events, personalities, issues;
C	Freedom struggle-its various stages and important contributors / contributions from different parts of the country;
D	Post-independence consolidation and reorganization within the country;
E	History of the world will include events from 18 <sup>th</sup> century such as industrial revolution, world wars, re-drawing of national boundaries, colonization, decolonization,
F	Political philosophies like communism, capitalism, socialism etc.-their forms and effect on the society
G	Salient features of Indian Society, Diversity of India;
H	Effects of globalization on Indian society;
I	Role of women and women's organization;
J	Social empowerment, communalism, regionalism & secularism
K	Salient features of world's physical geography;
L	Geographical features and their location- changes in critical geographical features (including water bodies and ice-caps) and in flora and fauna and the effects of such changes;
M	Important Geophysical phenomena such as earthquakes, Tsunami, Volcanic activity, cyclone etc.
N	Distribution of key natural resources across the world (including South Asia and the Indian subcontinent);
O	Factors responsible for the location of primary, secondary, and tertiary sector industries in various parts of the world (including India);
P	Population and associated issues;
Q	Urbanization, their problems and their remedies
General Studies Paper II	
A	India and its neighbourhood- relations;
B	Important International institutions, agencies and fora- their structure, mandate;
C	Effect of policies and politics of developed and developing countries on India's interests;
D	Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests.
E	Indian Constitution, historical underpinnings, evolution, features, amendments, significant provisions and basic structure;
F	Comparison of the Indian Constitutional scheme with other countries;
G	Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein; Inclusive growth and issues arising from it;
H	Parliament and State Legislatures - structure, functioning, conduct of business, powers & privileges and issues arising out of these;
I	Structure, organization and functioning of the executive and the judiciary, Ministries and Departments;

J	Separation of powers between various organs dispute redressal mechanisms and institutions;
K	Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional bodies;
L	Statutory, regulatory and various quasi-judicial bodies;
M	Mechanisms, laws, institutions and bodies constituted for the protection and betterment of these vulnerable sections;
N	Salient features of the Representation of People's Act;
O	Important aspects of governance, transparency and accountability, e-governance- applications, models, successes, limitations, and potential;
P	Citizens charters, transparency & accountability and institutional and other measures;
Q	Issues relating to poverty and hunger,
R	Welfare schemes for vulnerable sections of the population by the Centre and States, Performance of these schemes;
S	Issues relating to development and management of social sector / services relating to education and human resources;
T	Issues relating to development and management of social sector / services relating to health
General Studies Paper III	
A	Indian Economy and issues relating to planning, mobilization of resources, growth, development and employment;
B	Effects of liberalization on the economy, changes in industrial policy and their effects on industrial growth;
C	Inclusive growth and issues arising from it;
D	Infrastructure Energy, Ports, Roads, Airports, Railways etc. Government budgeting;
E	Land reforms in India
F	Major crops, cropping patterns in various parts of the country, different types of irrigation and irrigation systems;
G	Storage, transport and marketing of agricultural produce and issues and related constraints;
H	e-technology in the aid of farmers; Technology Missions; Economics of Animal-Rearing.
I	Issues of buffer stocks and food security, Public Distribution System- objectives, functioning, limitations, revamping;
J	Food processing and related industries in India – scope and significance, location, upstream and downstream requirements, supply chain management;
K	Issues related to direct and indirect farm subsidies and minimum support prices
L	Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-technology;
M	Indigenization of technology and developing new technology;
N	Developments and their applications and effects in everyday life;
O	Issues relating to intellectual property rights
P	Conservation, environmental pollution and degradation, environmental impact assessment
Q	Disaster and disaster management
R	Challenges to internal security through communication networks, role of media and social networking sites in internal security challenges, basics of cyber security;
S	Money-laundering and its prevention;

T	Various forces and their mandate;
U	Security challenges and their management in border areas;
V	Linkages of organized crime with terrorism;
W	Role of external state and non-state actors in creating challenges to internal security;
X	Linkages between development and spread of extremism.
<b>General Studies Paper IV</b>	
A	Ethics and Human Interface: Essence, determinants and consequences of Ethics in human actions;
B	Dimensions of ethics;
C	Ethics in private and public relationships. Human Values - lessons from the lives and teachings of great leaders, reformers and administrators;
D	Role of family, society and educational institutions in inculcating values.
E	Attitude: Content, structure, function; its influence and relation with thought and behaviour;
F	Moral and political attitudes;
G	Social influence and persuasion.
H	Aptitude and foundational values for Civil Service , integrity, impartiality and non-partisanship, objectivity, dedication to public service, empathy, tolerance and compassion towards the weaker sections.
I	Emotional intelligence-concepts, and their utilities and application in administration and governance.
J	Contributions of moral thinkers and philosophers from India and world.
K	Public/Civil service values and Ethics in Public administration: Status and problems;
L	Ethical concerns and dilemmas in government and private institutions;
M	Laws, rules, regulations and conscience as
N	sources of ethical guidance;
O	Accountability and ethical governance; strengthening of ethical and moral values in governance; ethical issues in international relations and funding;
P	Corporate governance.
Q	Probity in Governance: Concept of public service;
R	Philosophical basis of governance and probity;
S	Information sharing and transparency in government, Right to Information, Codes of Ethics, Codes of Conduct, Citizen's Charters, Work culture, Quality of service delivery, Utilization of public funds, challenges of corruption.
T	Case Studies on above issues.