

POLITY

➤ **Parliamentary privilege and punishment in case of breach**

➤ **CONTEXT:** Recently, Rajya Sabha Chairman Jagdeep Dhankhar directed a parliamentary committee to probe the alleged breach of privilege by 12 Opposition MPs for their “disorderly conduct” that resulted in frequent adjournments during the first phase of the Budget session, which concluded on February 13.

- The Chairman also separately referred the matter of “repeated submission of identical notices” by AAP leader Sanjay Singh to the Committee of Privileges in the Upper House.

➤ **What led to the probe against Opposition MPs?**

- The Rajya Sabha secretariat informed that the Chairman had referred a question of an alleged breach of privilege against 12 MPs of Congress and Aam Aadmi Party (AAP) for violating the rules of the House by entering the well of the House, raising slogans and “persistently and wilfully” obstructing the proceedings.

- These included nine MPs from Congress and four from AAP. In addition to this, the bulletin mentioned a separate privilege notice against AAP’s Sanjay Singh for “non-adherence to the directions of the Chair”. Mr. Dhankhar had rebuked the AAP leader for repeatedly submitting similar notices seeking suspension of business to discuss the Adani issue when the House was in session.

- A breach of privilege notice was earlier filed against former Congress president and Lok Sabha MP Rahul Gandhi for his remarks in the House linking industrialist Gautam Adani with Prime Minister Narendra Modi.

➤ **What is parliamentary privilege?**

- Parliament, as an institution, and its members, in an individual capacity, enjoy certain rights and immunities which enable them to perform their parliamentary duties “efficiently and effectively” without any hindrance.

- These immunities, called parliamentary privilege, is defined as follows in Erskine May’s Treatise on The Law, Privileges, Proceedings and Usage of Parliament: “Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law.”

- Articles 105 and 194 of the Constitution deal with these powers, privileges and immunities.

➤ **What are the main privileges?**

1. Article 105 mainly deals with the powers and privileges of both Houses of Parliament and its members and committees. This article provides for the following:

- Freedom of speech in Parliament is subject to the provisions of the Constitution and the rules regulating the procedure of the Houses. “It is an essential pre-requisite for the efficient discharge of their parliamentary duties, in the absence of which, they may not be able to speak out their mind and express their views in the House without any fear,” says the Rajya Sabha rulebook. Article 121 of the Constitution, however, restricts members from discussing the conduct of the judges of the Supreme Court and the High Court.

- **Freedom of speech as privilege**

- ✓ Notably, the rules state that if any statement is made on the floor of the House by a member or minister which another member believes to be untrue, incomplete or incorrect, it does not constitute a breach of privilege. However, Rule 353 of the Lok Sabha says that an MP is required to give advance notice of an allegation for the respective minister to conduct an inquiry.

- A member is exempt from legal action for anything said or vote given in Parliament or one of its committees. The member is also not liable for any publication of a report, paper, vote or proceedings.

- Powers, privileges and immunities of each House of Parliament and that of its members and committees are required to be defined by Parliament by law. “... and, until so defined shall be those of that House and its members and committees immediately before the coming into force of Section 15 of the Constitution (Forty-fourth Amendment) Act 1978,” the clause states.

- The fourth clause states that provisions that apply to MPs also extend to non-members — those who have the right to speak and take part in proceedings or parliament committees, by virtue of the Constitution.

- Similarly, Article 194 outlines corresponding powers, privileges and immunities of State legislatures and their members and committees.

2. Validity of any proceeding of Parliament can’t be inquired into by a court on the grounds of alleged irregularity of procedure, as per the provisions of Article 122.

3. An MP can’t be arrested in a civil case, 40 days before the commencement of the session or a committee meeting, and 40 days after its conclusion, under Section 135A of the Civil Procedure Code, 1908. However, this privilege is limited to civil cases. An MP doesn’t enjoy any immunity against action in a criminal case, during the session or otherwise. Parliament, however, reserves the right to receive immediate information of the arrest, detention, conviction, imprisonment and release of a member.

- This particular privilege came into focus in 2022, when the Opposition alleged that central agencies such as the Enforcement Directorate (ED), Central Bureau of Investigation (CBI) and the Income Tax department (IT) were misused by the government to frame political rivals. The then Rajya Sabha Chairman M. Venkaiah Naidu had recalled the K. Anandan Nambiar case in which the Supreme Court held that an MP could claim no special

status higher than that of an ordinary citizen, and is as much liable to be arrested, detained or questioned, even during the session.

4. A member has immunity from arrest and “service of legal process” within the precincts of the House without prior permission from the Chairman or Speaker.
 - **Is there any Act that defines parliamentary privileges?**
 - Neither Parliament nor any State legislature has enacted a legislation that defines the powers, privileges and immunities of the Houses, or that of its members and committees. These immunities are presently governed by precedents— by British parliamentary conventions.
 - Amid calls for the codification of privileges to remove ambiguity, the Committee of Privileges of the Lok Sabha considered the matter in 2008. But in its report, presented to the House on April 30 that year, the panel recommended against the codification of parliamentary privileges, saying the majority “who expressed their opinion in the matter” did not favour it.
 - **What amounts to breach of privilege?**
 - As per the Rajya Sabha booklet on privileges “If an individual or authority disregards or undermines a parliamentary privilege of a member or the House, it is called a ‘breach of privilege’. The offence is punishable. “Besides, actions in the nature of offences against the authority or dignity of the House, such as disobedience to its legitimate orders or libels upon itself, its members, committees or officers also constitute a breach of privilege.”
 - Breach of privilege is different from contempt of the House. The contempt of House is defined as “any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency directly or indirectly, to produce such results”. Some examples are speeches or writings reflecting on the character or proceedings of the House or its members, reflections on the character or impartiality of the Chair, or the publication of expunged proceedings.
 - **What is the process to raise a question of privilege?**
 - Parliament is the sole authority to ascertain if there has been a breach of privilege or contempt of the House— no court is entrusted with this power.
 - A member of the House can raise a question involving a breach of privilege with the consent of the Chairman or Speaker. If the presiding officer gives consent, the Council can either consider the question and come to a decision or refer it to the Committee of Privileges — a 10-member panel in the Rajya Sabha and a 15-member panel in the Lok Sabha.
 - According to the Rajya Sabha rulebook the Chairman is also empowered to refer, suo motu, any question of privilege to the Committee for examination, investigation and report. “The Chairman can also himself inquire into a breach of privilege matter instead of referring it to the Committee and apprise the House of the result of his inquiry and close the matter.”
 - Not more than one question is allowed to be raised at the same sitting, the rules state, adding that the “question shall be restricted to a specific matter of recent occurrence.”
 - **How does the Committee of Privileges work?**
 - If the matter is referred to the panel, it examines the question of privilege and decides if a breach of privilege is involved and the nature of the breach and circumstances leading to it. A report with recommendations is then presented to the House for its consideration.
 - After a motion for consideration of the report, the Committee moves that the House agree or disagree with the amendments and recommendations in the report. Further action is taken per the decision of the House— if the resolution is unanimously passed.
 - **What is the punishment for a breach of privilege?**
 - The authority to decide the punishment lies with the House. A person found guilty of breach of privileges or contempt can be reprimanded, warned or sent to prison. The period for which the House can commit an offender to custody or prison for contempt is limited to the duration of the session of the House. In case its member is found guilty, the MP can be suspended from the House or face expulsion.
 - ✓ One of the most significant cases of breach of privilege was seen in 1978 against Indira Gandhi. The former PM was found guilty of contempt and breach of privilege by the privileges committee of the Lok Sabha, after a notice accused her of harassing government officials. She was expelled from Parliament and sent to jail. The resolution was, however, rescinded in 1981.

PRELIMS

1. **United Nations Committee On Economic, Social And Cultural Rights(UNCESCR)**
 - **CONTEXT: Representatives of fugitive ‘godman’ Nithyananda’s self-proclaimed country, the United States of Kailasa (USK), attended a discussion conducted by the United Nations Committee on Economic, Social and Cultural Rights (CESCR) in Geneva.**
 - The event was the ‘Day of General Discussion on General Comment on Economic, Social and Cultural Rights and Sustainable Development’, where two persons spoke on behalf of the United States of Kailasa during the time allocated to raise questions

- The USK isn't among the 193 countries recognised by the UN.
- In 2020, Nithyananda claimed to have founded a new country after he "bought an island" off the coast of Ecuador. The 'country' has a flag, a constitution, an economic system, a passport and an emblem.
- **About CESC:**
- CESC is a body of 18 independent experts that monitors the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) — a treaty signed in 1966 — by its State parties.
- Established on May 29, 1985, the committee seeks to develop a constructive dialogue with Member States, determine whether the Covenant's norms are being implemented in Member States and assess how the implementation and enforcement of the Covenant could be improved.
- **About High Commissioner for Human Rights:**
- The High Commissioner for Human Rights is the principal human rights official of the United Nations.
- The United Nations High Commissioner for Human Rights is accountable to the Secretary-General and is responsible for all the activities of OHCHR, as well as for its administration.
- **Roles:** Carries out the functions specifically assigned to him or her by the General Assembly in its resolution 48/141 of 20 December 1993 and subsequent resolutions of policy-making bodies;
- ✓ Advises the Secretary-General on the policies of the United Nations in the area of human rights;
- ✓ Ensures that support is given to the projects, activities, organs and bodies of the human rights programme;
- ✓ Represents the Secretary-General at meetings of human rights organs and at other human rights events; and carries out special assignments as decided by the Secretary-General.
- **Appointment:** In accordance with General Assembly resolution 48/141, the United Nations High Commissioner for Human Rights is appointed by the Secretary-General of the United Nations and approved by the General Assembly, with due regard to geographical rotation for a fixed term of four years with a possibility of one renewal for another fixed term of four years.
- 2. **Pradhan Mantri Bhartiya Janaushadhi Pariyojana (PMBJP)**
- **CONTEXT: Union Health Minister Mansukh Mandaviya said on recently that as on January 31, the number of stores selling cheap generic medicines — Pradhan Mantri Bhartiya Janaushadhi Kendras — stood at 9,082.**
- **About the scheme**
- PMBJP is a campaign launched by the Department of Pharmaceuticals in 2008 under the name Jan Aushadhi Campaign. The campaign was revamped as PMBJP in 2015-16.
- Bureau of Pharma PSUs of India (BPPI) is the implementation agency for PMBJP.
 - ✓ The Bureau of Pharma Public Sector Undertakings (PSUs) of India works under the Ministry of Chemicals & Fertilisers.
 - ✓ BPPI has also developed the Janaushadhi Sugam Application.
- A medicine is priced on the principle of maximum 50% of average price of the top three brands branded medicines. Thus, the prices of Jan Aushadhi Medicines are cheaper by at least 50% and in some cases, by 80% to 90% of the market price of the branded medicines.
- **What is the objective of the PMBJP?**
- To make available quality medicines, consumables and surgical items at affordable prices for all and reduce out of pocket expenditure of consumers/patients.
- To popularise generic medicines among the masses and dispel the prevalent notion that low priced generic medicines are of inferior quality or are less effective.
- ✓ Generic medicines are unbranded medicines which are equally safe and having the same efficacy as that of branded medicines in terms of their therapeutic value.
- To ensure easy availability of the menstrual health services (Janaushadhi 'Suvidha' sanitary napkins) to all women across India.
- Generate employment by engaging individual entrepreneurs in the opening of PMBJP Kendras.
- **What is Janaushadhi Kendra?**
- These are the centres from where quality generic medicines are made available to all.
- Bureau of Pharma PSUs in India (BPPI) supports Janaushadhi Kendras as a part of PMBJP.
- The Government has set a target to increase the number of Pradhan Mantri Bhartiya Janaushadhi Kendras (PMBJKs) to 10,500 by the end of March 2025.
- Product basket of PMBJP comprises 1451 drugs and 240 surgical instruments. Further, new medicines and nutraceuticals products like protein powder, malt-based food supplements, protein bar, immunity bar, sanitizer, masks, glucometer, oximeter, etc. have been launched.
- 3. **Proton Beam Therapy (PBT)**
- **CONTEXT: Cancer patients in India face twin challenges when it comes to accessing proton beam therapy (PBT): there are not enough facilities offering the treatment, and the cost can run into tens of lakhs of rupees.**
- **About PBT**

- Proton beam therapy (PBT) is an advanced form of radiotherapy, with radiation treatment delivered by accelerated proton beams rather than X-rays.
- A proton beam delivers some radiation to healthy tissue in reaching the tumour but very little radiation beyond the edge of the tumour being treated. This means PBT is able to treat cancers just as effectively but delivers less radiation to other healthy parts of the body which surround the tumour.

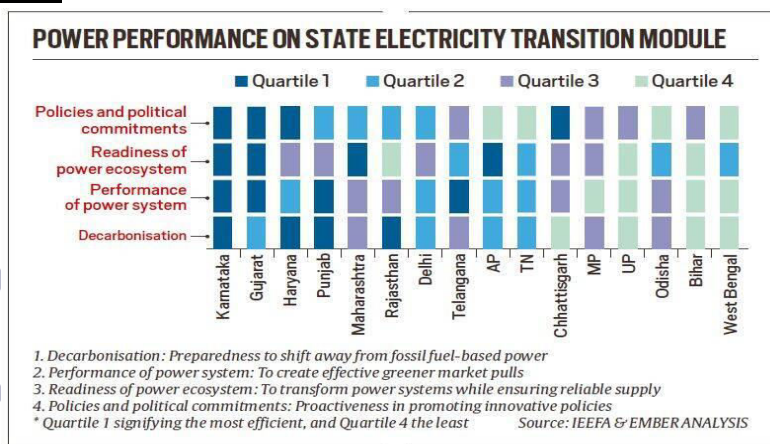
➤ **Significance**

- PBT is a newer technology that is designed to further reduce the amount of radiation that affects the surrounding normal tissue.
- The Therapy enables a dose of high-energy protons to be precisely targeted at a tumour, reducing the damage to surrounding healthy tissues and vital organs which is an advantage in certain groups of patients or where the cancer is close to a critical part of the body such as the spinal cord.
- PBT is being used increasingly to treat children with cancer. The chance of curing the cancer is no higher than with conventional radiotherapy but is likely to reduce the severity of the long-term side-effects, although it will not eliminate them altogether.
- For adults, the main use of PBT has been to treat cancers close to parts of the body which are very sensitive to the damaging effects of radiation. For example, PBT is used to treat certain cancers at the base of the skull, deep inside the head and close to the brain, and cancers of the spine which are close to the spinal cord.

4. 'Indian States' Energy Transition' Report'

➤ **CONTEXT:** The report — 'Indian States' Energy Transition' — released recently has analysed 16 states, which together account for 90% of India's annual power requirement.

- The report prepared by the Institute for Energy Economics and Financial Analysis (IEEFA) along with EMBER.
- According to the report Karnataka and Gujarat are among the major states making the most progress in transition to clean electricity.
- Based on this analysis, the report devises a scoring system (States' Electricity Transition, or SET) which measures performance of different states in the transition to clean electricity.



- **Karnataka** is the only state among the 16 analysed that scored well across all four dimensions of clean electricity transition identified in this study. It also has conducive policies and political commitments for a smoother transition.
- ✓ Karnataka has been an early adopter of renewable energy through proactive policies around open access, solar park development and public awareness. The state fared the best in decarbonising its power sector and has the highest share of renewables in its power supply mix (48%)
- ✓ The analysis found that Karnataka currently is one of the few states overachieving its Renewable Purchase Obligations targets. The state still has a large amount of untapped renewable energy potential, having installed just 11% of its total potential, the report noted. "This highlights the state's tremendous opportunity to provide power to neighbouring states through green market mechanisms," .
- **Gujarat** was a little behind Karnataka in terms of decarbonising its electricity sector. Haryana and Punjab have shown promising preparations and implementations for electricity transition.
- **Rajasthan** is second only to Karnataka, with renewables supplying 29% of the state's power mix. It saw a spurt in new renewable energy capacity and, in March 2022, became the state with the largest installed capacity of renewable energy.
- As of September 2022, **Punjab** turned about a quarter of its renewable energy potential into installed capacity (1.8GW), and targets to install solar PV (Photovoltaic) projects with a total capacity of 300 MW.
- **Haryana** has the lowest installed capacity of older, more polluting coal power plants. It only had about 210 MW coal power capacity older than 25 years, which is much lower than the numbers in other states.
- **Maharashtra**, with the highest power demand in India, was found to be mid-table, mainly due to slow renewable energy uptake in the state and the inability to shut down older polluting coal power plants. Its renewable energy share (11%) is lower than most other states.
- **Suggestion: Bihar, UP and West Bengal** have work to do to strengthen their clean electricity transition performances. These states should maximise their renewable energy generation potential, and at the same time increase commitment to moving away from fossil fuels-based electricity.

ANSWER WRITING

Q. India has introduced a draft to launch the ‘Millet International Initiative for Research and Awareness’ (MIIRA) to encourage the consumption and production of millet. Discuss the objectives of MIIRA. Also, highlight the significance of millet crops for agriculture and food security.

Millets are part of a group of small-grained cereal crops used as both food and fodder. They were earlier referred to as “coarse cereals” or “cereals of the poor”. The government renamed these as “Nutri-cereals” owing to their high nutritional value. The government has decided to launch Millet International Initiative for Research and Awareness (MIIRA) to promote millets at the international level. This is also in line with the United Nations Declaration of 2023 as the International Year of Millets.

Main objectives of MIIRA:

- Food security and nutrition are the top priority in agriculture for India during its G20 presidency and hence India decided to launch MIIRA.
- MIIRA will be launched keeping in mind the nutritional value and the climate-resilient nature of millets.
- MIIRA will aim to connect millet research organisations across the world while also supporting research on millet crops.
- Besides setting up a web platform to connect researchers and holding international research conferences, the plan is also to promote millet consumption by raising awareness.
- For MIIRA to take off, India will contribute the seed money, while each G20 member will later have to contribute to its budget in the form of a membership fee.

Significance of millet crops for agriculture and food security:

- **Solution for food-system divide:** According to experts a lack of appreciation of the benefits of millet and policies that have favoured the production of the big three cereals i.e., rice, wheat and maize has resulted in a “Food System Divide”. A renewed focus on boosting the production of millets and highlighting their benefits is critical to reducing over-reliance on commonly grown crops, boosting diverse diets, and food security.
- **Addressing population challenge:** The world needs to produce more food to feed a rapidly growing global population, which is projected to reach 8.5 billion by 2030. Millets can help address the challenges of food security through crop diversification.
- **Sustainable agriculture:**
 - ✓ By offering a reduced dependence on synthetic fertilizers and pesticides, millet cultivation helps promote a shift towards sustainable agriculture and diversifying crop rotations.
 - ✓ The high carbon content of the crop residues makes them important for maintaining and increasing soil carbon levels which is important for sustainable cropping systems.
 - ✓ Millets are capable of growing under drought conditions, under non-irrigated conditions even in very low rainfall regimes and have a low water footprint.
- **Providing health benefits:**
 - ✓ Millets are an excellent source of antioxidants and help enhance the capability of probiotics with potential health benefits.
 - ✓ They play a role in the body’s immune system, a solution to tackle childhood undernutrition and iron deficiency anaemia.
 - ✓ Millets are gluten-free with a low-glycemic index making them a great food option for those with gluten intolerance, high blood sugar or diabetes.
- **Livelihood opportunities for small-scale farmers:** By encouraging the consumption and production of these underutilized crops, additional opportunities for small-scale farmers can be created.

Millets have the potential to help achieve sustainable development goals mainly SDG 2 Zero Hunger, SDG 3 Good Health and Well-being, and SDG 12 Sustainable Consumption and Production. India is the largest producer of millet in the world with a share of 41 per cent. India’s efforts to promote the consumption and production of millet got a boost when the UN accepted the country’s proposal and dedicated 2023 to spreading awareness about these grains.

MCQs

1. With reference to Proton beam therapy (PBT) consider the following statements
 1. The major advantage of proton therapy treatment is that the radiation act directly in the tumour without damaging other parts of the body.
 2. India does not have any Proton Beam Therapy unit.
 Which of the above statement/s is/are correct?
 a) 1 only b) 2 only c) Both 1 and 2 d) Neither 1 nor 2
2. Consider the following statements about the Bureau of Pharma PSUs of India (BPPPI):
 1. It is the implementing agency of Pradhan Mantri Bhartiya Janaushadhi Pariyojana (PMBJP).
 2. It has been registered as an independent society under the Societies Registration Act, 1860.
 Which of the statements given above is/are correct?
 a) 1 only b) 2 only c) Both 1 and 2 d) Neither 1 nor 2
3. Which of the following statements with regard to the privileges of the Members of the Parliament are correct?
 1. Privileges would not be fettered by the Article 19(1)(a) of the Constitution of India.

2. Privileges must be read subject to the Articles 20-22 and Article 32 of the Constitution of India.
3. Immunity is available in relation to both civil and criminal prosecution.
4. Immunity is available in relation to freedom of speech even in his /her private or personal capacity.
Select the correct answer using the code given below.
a) **1, 2 and 4** b) 1 and 2 only c) 2 and 3 d) 1 and 4 only
4. With reference to recently released report 'Indian States' Energy Transition' consider the following statements
1. Karnataka is the only state among all the 28 states that scored well across all four dimensions of clean electricity transition.
2. The report has been released by Bureau of Energy Efficiency biannually.
Which of the above statement/s is/are correct?
a) **1 only** b) 2 only c) Both 1 and 2 d) Neither 1 nor 2
5. With reference to Office of the High Commissioner for Human Rights (UN Human Rights) Consider the following statements
1. The Office of the High Commissioner for Human Rights (UN Human Rights) is the leading UN entity on human rights
2. The above office has been created under Vienna Declaration and Plan of Action.
Which of the above statement/s is/are not correct?
a) 1 only **b) 2 only** c) Both 1 and 2 d) Neither 1 nor 2
6. With reference to exercise cobra warrior consider the following
1. The Exercise Cobra Warrior is a bilateral Air exercise between India and USA
2. The exercise aims to participate in fighter aircraft engagements and learn from the best practices from each other Air Forces.
Which of the above statement/s is/are not correct?
a) 1 only
b) 2 only
c) **Both 1 and 2**
d) Neither 1 nor 2
7. In India, why are some nuclear reactors kept under "IAEA Safeguards" while others are not?
a) Some use Uranium and others use thorium.
b) **Some use imported uranium and others use domestic supplies.**
c) Some are operated by foreign enterprises and others are operated by domestic enterprises.
d) Some are State- owned and others are privately-owned.
8. Consider the following statements:
1. The Unique Identification Authority of India (UIDAI) is a statutory authority.
2. UIDAI is responsible for issuing Aadhaar numbers to individuals and authentication records of an individual.
Which of the above statements is/are correct?
a) 1 only
b) 2 only
c) **Both 1 and 2**
d) Neither 1 nor 2
9. With reference to News Broadcasting & Digital Standards Authority (NBDSA) consider the following
1. The NBDSA is statutory body set up under Ministry of Information and Broadcasting.
2. It carries out activities to promote, protect and secure the interests including the right of freedom of speech and expression of the news broadcasters, digital news media and other related entities.
Choose the correct statement/s using the codes given below
a) 1 only
b) **2 only**
c) Both 1 and 2
d) Neither 1 nor 2
10. Consider the following statements:
1. Mirage 2000 is a twin-engine fighter jet.
2. HAL Tejas is a delta-winged fighter jet.
3. Rafale is a hypersonic fighter jet.
Which of the statements given above is/are correct?
a) 1 and 2
b) **2 only**
c) 1 and 3
d) 3 only