

POLITY & GOVT POLICES

The Jan Vishwas Bill 2023

In Context: The Jan Vishwas (Amendment of Provisions) Bill, 2023 was passed in Parliament recently.

The Jan Vishwas Bill

- ✓ Introduced by Commerce and Industry Minister Piyush Goyal, the Bill aims at giving further boost to ease of living and **ease of doing business**.
- ✓ The Jan Vishwas (Amendment of Provisions) Bill, 2022 amends 42 laws, across multiple sectors, including agriculture, environment, and media and publication and health.
- ✓ The Bill converts several fines to penalties, meaning that court prosecution is not necessary to administer punishments. It also removes imprisonment as a punishment for many offences.
- ✓ Covered under the Jan Vishwas (Amendment of Provisions) Bill, 2023 are changes in the **Drugs and Cosmetics Act, 1940, the Food Safety and Standards Act, 2006 and the Pharmacy Act, 1948**.
- ✓ This has evoked heated debate about its pros and cons among health care activists, experts in the field of pharmacy and patient-welfare groups.
- ✓ Among these, the changes proposed to the **Drugs and Cosmetics Act, 1940** have been the most contentious.
- ✓ The Act regulates the import, manufacture, distribution and sale of drugs and cosmetics in the country.
- ✓ Currently, the Act defines **four categories of offences— adulterated drugs, spurious drugs, mislabelled drugs, and Not of Standard Quality drugs (NSQs)** — and lays out degrees of punishment (a combination of prison time and fine) based on the degree of offence.

The pros and cons of the amendments

- ✓ The amendments have brought in sharp criticism from health activists.
- ✓ **First**, it allows manufacturers of **Not of Standard Quality Drugs (NSQ) drugs** to escape significant penalties despite the fact that these drugs can have an adverse effect on the patient.
- ✓ For example, drugs that lack the adequate active ingredient or fail to dissolve will not cure the disease it is meant to and that will result in a poor treatment outcome for the patient.
- ✓ **Second**, the Bill also reduces penalties for owners of pharmacies who violate the terms of their licence.
- ✓ The Indian pharmaceutical sector, manufacturing and pharmacies included, are already subject to extremely lax regulation as evidenced by the explosion of scandals recently across the world linked to 'Made in India' medicine.
- ✓ The government should be tightening the regulatory screws, not giving the industry a literal "get out of jail" pass.

Way forward

- ✓ The laws shouldn't become a cost-to-operation component for companies but should install in them the greater sensibilities and responsibilities towards the society.
- ✓ India is the pharmacy of the world and we have to work towards ensuring that the best medicines are provided while reasonable benefits are offered to business.
- ✓ Rationalising laws, eliminating barriers and bolstering growth of businesses are important.

SCIENCE AND TECHNOLOGY

Starlink: New Sovereign of Low-earth Orbit

In Context: Starlink's importance in Ukraine has hammered in how high-speed satellite Internet access is quickly becoming the most valuable strategic resource in a conflict or war-stricken region.

About the Starlink Project

- ✓ Starlink is a satellite constellation that comprises thousands of small satellites in low-Earth orbit (LEO).
- ✓ SpaceX first began sending them into space in 2019.
- ✓ SpaceX is an American aerospace manufacturer and space transport services company founded by Elon Musk.
- ✓ Currently, there are more than 3,000 of these satellites that send internet signals to designated ground receivers.
- ✓ Unlike traditional internet providers, Starlink doesn't require any ground infrastructure.
- ✓ One just needs to have a small satellite dish or a receiver device to access high-speed internet, much like satellite TV.

Significance of Starlink

- ✓ Simple idea behind Starlink: Governments or companies would send up small satellites into space that would beam high-speed Internet to users with the help of ground stations or terminals back on earth.
- ✓ Elon Musk post-2019, placed better satellites closer to earth, and in a connected constellation could bring satellite internet access on par with the average broadband experience.
- ✓ Starlink's hegemony: Today, Musk's Starlink service is the undisputed king of the section of space called low-earth orbit (LEO).

- ✓ Of the roughly 7,500 active satellites that orbit Earth today, more than half are Starlink satellites.
- ✓ There are a handful of competitors, some backed by governments: Viasat, OneWeb, Avanti, SES, Immarsaat, and Iridium. But none of them come close to offering the convenience, speed or affordability of Starlink.
- ✓ Accessibility in combat environment: According to the report, what makes Starlink easily accessible even in the combat environment is the fact that the dishes and terminals used for providing the internet are portable and can be rigged to run off a car battery.
- ✓ In an area which has an unreliable supply of electricity, this is a huge advantage.
- ✓ Apart from this, because Starlink consists of thousands of satellites that orbit around the Earth and aren't too far from the ground, they are able to provide high bandwidth without many glitches.
- ✓ This has also made drone warfare much easier.

Challenges

- ✓ Russia Ukraine - Operations controlled by company: After the Russia-Ukraine war broke out in 2022, fibre network lines and cell towers were the first pieces of infrastructure to be destroyed, rendering Starlink as the lifeblood of Ukraine's communication network.
- ✓ When Internet connectivity is deployed in a region, the nature of the technology is such that its operations aren't controlled by the user, but by the company.
- ✓ So when the Ukrainian government wanted to switch on/off access in a particular area.
- ✓ For example, if a piece of territory had fallen into Russian hands and a few Starlink dishes or terminals had been lost – it had to call up Starlink each and every time.
- ✓ Lack of regulations & Starlink's monopoly: Traditional infrastructure works on a public-utility principle. Toll-road operators don't get to decide who uses their roads.
- ✓ Similarly, telecom companies don't get to decide whether a particular region deserves no internet access because its inhabitants might use it for unsavoury purposes.
- ✓ Yet satellite internet companies get to insert themselves in key debates because of how the technology works and the lack of regulation.
- ✓ For instance, Musk reportedly had refused Ukraine's request in 2022 to provide Starlink connectivity near Crimea.
- ✓ Issues of space debris: The satellites of Starlink work only for five years and once they are dysfunctional, they remain in space and contribute to space debris.
- ✓ SpaceX's ambitious plan of launching 42,000 more satellites in the next few years might lead to overcrowding in our orbit, which in turn would impede astronomers from making observations from Earth.

Suggestions

- ✓ **Need to end monopoly:** The obvious solution is that we need more LEO satellite constellations – government, private or some combination of the two – that provide Internet access.
- ✓ **Need of government-specific projects:** Rival firm OneWeb, whose biggest shareholders are Bharti Airtel's holding company and the U.K. government, were forced to abort a launch in Russia after Putin demanded the satellites not be used against Moscow.
- ✓ OneWeb took a \$230 million hit after Russia refused to return its satellites too. And this is why more government-specific projects are needed.

Way ahead

- ✓ In 2022, the European Union earmarked EUR 2.4 billion to set up a "sovereign" satellite constellation to be rolled out by 2027.
- ✓ China has its own plans to deploy a 13,000-satellite LEO mega constellation to rival Starlink.
- ✓ Starlink's disputes with Ukraine and other countries should serve as a wake-up call of how the power of the stars is quickly being concentrated in the hands of just one man, and a worrying lesson for any country or government looking to depend on Musk for connectivity.

PRELIM FACTS

1. World Tribal day:

In context: Annually, on August 9th, the world observes World Tribal Day, dedicated to advocating for and safeguarding the rights of indigenous populations.

Theme: The theme chosen for World Tribal Day 2023 centers around "Indigenous Youth as Agents of Change for Self-determination."

Historical Background:

- ✓ The history of world tribal day of Adivasi Diwas dates back to the year 1982 when the first meeting of the UN Working Group on indigenous populations took place. In 1994 the United General Assembly Established World Indigenous Day to be celebrated on August 9 every year. The date August 9 was chosen in accordance with the first meeting of the UN Working Group on was chosen in accordance with the first meeting of the UN Working Group on Indigenous Population that was held in Geneva.

- ✓ Despite constituting around 6% of the global population, indigenous communities are frequently marginalized, even though they possess rich cultural diversity.
- ✓ The concept of designating a day to honor indigenous people's started within the United Nations. The primary goal was to safeguard the rights of these populations and ensure their voices received global recognition.

Significance

- ✓ The significance of the International Day of the World's Indigenous People in 2023 lies in its capacity to spotlight the difficulties encountered by numerous indigenous communities.
- ✓ These challenges encompass issues such as poverty, prejudice, and limited availability of education and healthcare services.
- ✓ The United Nations General Assembly proclaimed the period between 2022 and 2032 as the International Decade of Indigenous Languages (IDIL 2022-2032), to draw global attention on the critical situation of many indigenous languages and to mobilize stakeholders and resources for their preservation, revitalization and promotion.
- ✓ This occasion functions as a prompt to uphold and rejoice in the abundant cultural legacy, customs, languages, and insights that indigenous individuals contribute to the global tapestry. It's intended to cultivate unity among indigenous communities and to increase consciousness within the wider populace.
- ✓ Grasping and valuing indigenous cultures facilitate heightened empathy and regard, thus aiding in establishing a society that is more comprehensive and caring.



'Adivasi' in India

- ✓ In India, the term 'Adivasi' is used to encompass a diverse range of ethnic and tribal communities that are regarded as the original inhabitants of the country.
- ✓ These tribal groups make up approximately 8.6% of India's overall population, which amounts to around 104 million individuals as per the 2011 census.
- ✓ Although the most substantial tribal communities are concentrated in central India, they constitute merely about 10% of the total population in that region.

2. Savana Syndrome

In context: Recently a Bengaluru resident filed a petition in Karnataka High Court requesting a writ of mandamus for an enquiry on Havana Syndrome in India.

About Havana Syndrome:

- ✓ **Havana Syndrome** refers to a set of mental health symptoms that are said to be experienced by United States intelligence and embassy officials in various countries. The word 'syndrome' simply means a set of symptoms.
- ✓ **Symptoms:** Hearing certain sounds without any outside noise, nausea, vertigo and headaches, memory loss and balance issues.
- ✓ **Origin:** It traces its roots to **Cuba in late 2016** when the US opened its embassy in the capital city Havana. Some US intelligence officials and members of the staff at the embassy began experiencing sudden bursts of pressure in their brains followed by persistent headaches, feelings of disorientation and insomnia.

Where else has Havana syndrome been reported?

- ✓ Since the Cuban incident, American intelligence and foreign affairs officials posted in various countries like China, Uzbekistan, Russia, Poland, Georgia, Colombia etc have reported symptoms of the syndrome.
- ✓ In 2019 and 2020, such incidents have been reported from within the US — particularly in Washington DC.
- ✓ In India, the first such case was reported in 2021, when a US intelligence officer traveling to New Delhi with CIA director William Burns reported symptoms of Havana Syndrome.

What are the causes of Havana Syndrome?

- ✓ Initially during the Cuban experience, the suspicion was on Cuban intelligence or a section within the Cuban establishment that did not want US-Cuba relations to normalize. It was then speculated to be a “sonic attack”.
- ✓ However, further study suggests that they may have been subjected to **high-powered microwaves** that either damaged or interfered with the nervous system. It was said to have built pressure inside the brain that generated the feeling of a sound being heard.
- ✓ Greater exposure to high-powered microwaves is not only to interfere with the body’s sense of balance but also to **impact memory and cause permanent brain damage**.
- ✓ It was suspected that beams of high-powered microwaves were sent through a special gadget that Americans then called a “microwave weapon”.

MEDICAL SYMPTOMS RESULT OF ESPIONAGE WARS?

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| <p>WHAT IS HAVANA SYNDROME?</p> <p>Havana syndrome is a set of medical signs and symptoms first reported in late 2016 by American and Canadian embassy staff in Havana, Cuba, and subsequently in other countries including the US, Austria, Germany, and now India</p> |  <p>The apartments in Guangzhou where US diplomats developed the symptoms</p> | <p>WHAT DO US INTEL AGENCIES SAY?</p> <p>The US intel services have not reached a consensus on a formal determination of the cause of the Havana syndrome though unnamed sources in intelligence and in two presidential administrations have expressed suspicions to the press that Russian military intelligence is responsible</p> |
| <p>WHEN WAS IT FIRST DETECTED?</p> <p>> In 2016, a number of Canadians and Americans living in Havana complained of concussion-like symptoms, including headaches, dizziness, nausea and difficulty in concentrating. Some described hearing buzzing or high-pitched sounds before falling sick</p> <p>> In 2018, US diplomats in China reported problems similar to those reported</p> <p>Source: National Academy of Sciences & media reports</p> |  | <p>WHAT DO EXPERTS SAY?</p> <p>While there is no expert consensus on the exact cause, a National Academies of Sciences, Engineering, and Medicine expert committee concluded in December 2020 that microwave energy (especially directed radio frequency energy) ‘appears to be the most plausible mechanism in explaining these cases among those that the committee considered’ but that ‘each possible cause remains speculative’. The Biden admin has started calling them ‘unexplained health incidents (UHIs)’</p> |

3. Gita Mittal Committee

In context: Chief Justice of India D.Y. Chandrachud recently announced the appointment of an **all-women's committee** of three former High Court judges to oversee violence-torn Manipur.

By order of the Supreme Court

A Bench, headed by the Chief Justice of India, took the following decisions to help out the affected people in Manipur

- To appoint three former women High Court judges to provide a 'healing touch'
- To order DGPs of six States to name six DIG-rank officers to take charge of six SITs each
- To enforce multiple layers of monitoring
- To make five officers of the rank of DSP or SP from other States part of the CBI of the investigation
- To make the officers carry on the investigation under supervision of a CBI Joint Director



About the committee:

- ✓ It will be headed by **Justice Gita Mittal**, former Chief Justice of the Jammu & Kashmir High Court and **Justice Shalini Phansalkar Joshi** and **Justice Asha Menon** will be the members of the committee.
- ✓ This will be a broad-based committee which will be constituted to supervise, intervene and monitor relief and rehabilitation, restoration of homesteads, religious places of worship, better relief work, etc.
- ✓ The court also intended to appoint the retired Maharashtra-cadre IPS officer Dattatray Padsalgikar, to monitor the overall investigation of cases registered during the violence.

- ✓ To have an eye from outside the state, it said it would direct the Directors-General of Police (DGP) from six States to name six officers of the rank of Deputy Inspector-General to take charge of six SITs each and monitor its work.

4. **Exercise Malabar**

IN CONTEXT: The 31st edition of the Malabar multilateral exercise will be held off Sydney from August 11-21.

About Exercise Malabar:

- ✓ It was started in 1992 as a bilateral naval exercise between India and US navy.
- ✓ The first Malabar Exercise in the Bay of Bengal took place in 2007.
- ✓ It was expanded into a trilateral format with the inclusion of Japan in 2015.
- ✓ In 2020, the Australian Navy joined the Malabar Exercise, making it a quadrilateral naval exercise.
- ✓ The aim of the Malabar Exercise of India, the US, Japan and Australia is to coordinate for a free, open, and inclusive Indo-Pacific.
- ✓ It takes place annually in the Indian Ocean and Pacific Oceans alternatively.
- ✓ This exercise includes a diverse range of activities such as fighter combat operations and maritime interdiction operations.
- ✓ Other Joint Maritime Exercises of India
 - IBSAMAR: It is a maritime exercise held by India, South Africa, and Brazil.
 - SIMBEX: India and Singapore.
 - SLINEX: India and Sri Lanka.

ANSWER WRITING

Q. "Parliament's power to amend the constitution is a limited power and it cannot be enlarged into absolute power". In the light of this statement explain whether Parliament under Article 368 of the constitution can destroy the Basic structure of the constitution by expanding its amending power?

Introduction: The idea behind 'Constitution as a living document' highlights the necessity of making amendments in the constitution to make it more adaptive with time and to ensure that it doesn't lose its relevance as the social, economic and political conditions of the people keeps on changing. On the other side, too many changes in the constitution would lead to the loss of its essence. So, the pioneers of our constitution made sure to maintain the balance between a rigid and a flexible amendment process to the constitution.

Article 368 and Doctrine of Basic structure

- ✓ Article 368 of the constitution deals with the powers of parliament to amend the constitution and its procedure. It states that the Parliament may, in exercise of its constituent power, amend by way of addition, variation or repeal any provision of the constitution in accordance with the procedure laid down for the purpose.
- ✓ However, the parliament cannot amend those provisions which form the "basic structure" of the constitution. This was ruled by the Supreme Court in the Kesavananda Bharti case, 1973. If the Judiciary feels to review any amendment made by the parliament, it has the power to do so and if the Judiciary thinks that the amendment is unlawful or against any provision or against public morality, it has the power to make that amendment null and void.
- ✓ In the Shankari Prasad case, 1951, the Supreme Court ruled that the power of Parliament to amend the constitution under article 368 also includes the power to amend the fundamental rights. In Golaknath case, 1967, the Supreme Court reversed its earlier stand and ruled that Fundamental rights are given a transcendental and immutable position and hence, Parliament cannot abridge or take away any of these rights. The Parliament reacted to SC's judgement by enacting 24th Amendment Act, 1971 and stated the Parliament has the power to abridge any of the fundamental rights under article 368. Limitations on Parliament to amend the constitution
- ✓ However, in Kesavananda Bharti case, 1973, the Supreme court over-ruled its judgment in Golak Nath case. It upheld the validity in of 24th Amendment Act and stated that the parliament is empowered to abridge any of the fundamental rights. At the same time, it laid down a new doctrine of the 'basic structure' of the constitution. It ruled that constituent power of the parliament under article 368 doesn't enable it to alter the basic structure of the constitution.
- ✓ Parliament reacted to it by enacting 42nd amendment, where it declared that there's no limitation on the constituent power of Parliament and no amendment can be questioned in any court of law. However, the Supreme Court in Minerva Mills case, 1980 invalidated this provision as it excluded judicial review which is a basic feature of the question.

Conclusion: From various judgements, unity and integrity of the nation, judicial review, parliamentary system, free and fair elections, independence of judiciary, etc. have emerged as the elements or ingredients of the basic structure. These cannot be amended by using the constituent amending power of the constitution under the article 368, thus limiting Parliament's power to amend the constitution.

MCQ

1. The publication '75 Endemic Birds of India' recently seen in news is released by?
 - a) **Zoological Survey of India**
 - b) World Wide Fund for Nature
 - c) Bombay Natural History Society
 - d) National Biodiversity Authority
2. With reference to Jan Vishwas Act, 2022, consider the following statements
 1. The Act aims to enhance Ease of Living and Ease of Doing Business and to decriminalize minor offences that don't harm public interest or national security.
 2. Removes all offences and penalties under Indian Post Office Act, 1898.
 3. Introduces Adjudicating Officers for determining penalties.
 How many of the above statements is/are correct?
 - a) Only 1
 - b) Only 2
 - c) **Only 3**
 - d) None
3. State of the Climate in Asia 2022 report is released by which institution?
 - a) The Intergovernmental Panel on Climate Change (IPCC)
 - b) United Nations Framework Convention on Climate Change (UNFCCC)
 - c) Global Climate Network (GCN)
 - d) **World Meteorological Organization (WMO)**
4. Consider the following statements
 1. International Day of the World's Indigenous Peoples is observed on 9 August each year to raise awareness and protect the rights of the world's indigenous population.
 2. The United Nations General Assembly proclaimed the period between 2022 and 2032 as the International Decade of Indigenous Languages
 Which of the statements given above is/are correct?
 - a) Only 1
 - b) Only 2
 - c) **Both 1 and 2**
 - d) Neither 1 nor 2
5. Consider the following statements:
 1. Neerakshi is a land-based communication device designed for long-distance radio transmission.
 2. It has been developed in collaboration with Bhabha Atomic Research Centre (BARC) and Bharat Heavy Electricals Limited (BHEL).
 Select the correct statements using the codes given below:
 - a) Only 1
 - b) Only 2
 - c) **Both 1 and 2**
 - d) Neither 1 nor 2
6. Consider the following statements:
 1. Starlink is a satellite constellation that comprises thousands of small satellites in low-Earth orbit.
 2. Unlike traditional internet providers, Starlink doesn't require any ground infrastructure.
 3. Starlink has made drone warfare much easier.
 Which of the statements given above are correct?
 - a) 1 and 2 only
 - b) 2 and 3 only
 - c) 1 and 3 only
 - d) **1, 2 and 3**
7. Recently, Gnanamuyarchi word is in news, which is related to:
 - a) **Tamil manuscript**
 - b) A land grant or revenue assignment
 - c) A territorial division or province within a kingdom
 - d) Jain text
8. Considered the following statement regarding Gita Mittal Committee
 1. The 3 member committee considered of all-women's member.
 2. To oversee violence-torn Manipur.
 Which of the following statement is/are correct?
 - a) Only 1
 - b) Only 2
 - c) **Both 1 and 2**
 - d) Neither 1 nor 2
9. Considered the following statement regarding Exercise Malabar:
 1. It was started in 1992 as a bilateral naval exercise between India and US navy.
 2. The first Malabar Exercise in the Bay of Bengal took place in 2007.
 Which of the following statement is/are correct?
 - a) Only 1
 - b) Only 2
 - c) **Both 1 and 2**
 - d) Neither 1 nor 2
10. Consider the following statements:
 1. Federalism is a basic feature of the Indian Constitution.
 2. India follows a model of federalism that is symmetrical in nature.
 Select the correct statements using the codes given below:
 - a) **Only 1**
 - b) Only 2
 - c) Both 1 and 2
 - d) Neither 1 nor 2