



RACE IAS

Daily current affairs

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Mercy plea:

Context:

The Supreme Court has advised the Union government to release the convict in the former Prime Minister Rajiv Gandhi's assassination case, as he already served a sentence of more than three decades.

What next?

- The Supreme Court has advised the Union government to act against the Tamil Nadu Governor who chose to "ignore" the State Cabinet's binding advice to release a convict.

What's the issue?

The Governor ignored the state cabinet's advice by highlighting that the President had the authority to decide on the **mercy plea**.

Seeking mercy

A brief timeline of the Rajiv Gandhi assassination case

Sept. 6, 2018: SC says Governor is at liberty to decide on the remission plea of **Perarivalan** "as deemed fit". The convicts – Nalini, T. Suthendraraja alias Santhan, Sriharan alias Murugan (Nalini's husband), A.G. Perarivalan alias Arivu, Robert Payas, S. Jayakumar alias Jayakumaran, and Ravichandran alias Ravi – have been in jail for over 27 years

Sept. 9, 2018: T.N. govt. decides to recommend to the Governor the release of all the seven convicts

Jan. 21, 2020: SC directs govt. to file a report on the status of a plea for pardon filed by Perarivalan

Jan. 20, 2021: SC orally observes that the case of Perarivalan is "extraordinary" because the Governor has delayed a decision on the State's recommendation for years



What is Article 161?

Article 161 gives the Governor the "power to grant pardons, reprieves, respites or remissions of punishment or to suspend, remit or commute the sentence of any person convicted of any offence against any law relating to a matter to which the executive power of the state extends".

Article 72 vs Article 161:

The scope of the pardoning power of the President under Article 72 is wider than the pardoning power of the Governor under Article 161.

The power differs in the following two ways:

1. The power of the President to grant pardon extends in cases where the punishment or sentence is by a Court Martial but Article 161 does not provide any such power to the Governor.
2. The President can grant pardon in all cases where the sentence given is the sentence of death but the pardoning power of the Governor does not extend to death sentence cases.

Significance of pardoning powers:

- The pardoning power of the Executive is very significant as it corrects the errors of the judiciary. It eliminates the effect of conviction without addressing the defendant's guilt or innocence.
- Pardon may substantially help in saving an innocent person from being punished due to miscarriage of justice or in cases of doubtful conviction.
- The object of pardoning power is to correct possible judicial errors, for no human system of judicial administration can be free from imperfections.

Sources: the Hindu.

The debate on the national language:

Context:

Remarks by a Hindi actor to the effect that Hindi is the **national language** of India sparked a controversy recently over the status of the language under the Constitution.

Is there any national language?

The Constitution of India has not given any language a national status.

What is the status of Hindi?

Under Article 343 of the Constitution, the official language of the Union shall be Hindi in Devanagari script. The international form of Indian numerals will be used for official purposes.

- In the constituent assembly discussions, it was decided that English would continue to be used for a period of 15 years.
- The Constitution said that after 15 years, Parliament may by law decide on the use of English and the use of the Devanagari form of numbers for specified purposes.

Article 351:

It is the Union government's duty to promote the spread of Hindi so that it becomes "a medium of expression for all elements of the composite culture of India" and also to assimilate elements of forms and expressions from Hindustani and languages listed in the Eighth Schedule.

Why was there opposition to the imposition of Hindi?

1. The Official Languages Act, 1963 was passed in anticipation of the expiry of the 15-year period during which the Constitution originally allowed the use of English for official purposes.
2. Its operative section provided for the continuing use of English, notwithstanding the expiry of the 15-year period.
3. Jawaharlal Nehru had given an assurance in 1959 that English would remain in official use and as the language of communication between the Centre and the States.
4. The Official Languages Act, 1963, did not explicitly incorporate this assurance, causing apprehensions in some States as the January 1965 deadline neared.
5. At that time, PM Lal Bahadur Shastri reiterated the government's commitment to move towards making Hindi the official language for all purposes.
6. It created an apprehension that Hindi would be imposed in such a way that the future employment prospects of those who do not speak Hindi will be bleak.

Imposing the Hindi language:

- Can affect the learning ability of non-Hindi speakers thereby affecting their self-confidence.
- Can also threaten other languages and reduce diversity.
- Could also threaten the diversity and federalism of India.

What is the three-language formula?

Since the 1960s, the Centre's education policy documents speak of teaching three languages – Hindi, English and one regional language in Hindi-speaking States, and Hindi, English and the official regional language in other States.

- In practice, however, only some States teach both their predominant language and Hindi, besides English.
- In States where Hindi is the official language, a third language is rarely taught as a compulsory subject.

Sources: the Hindu.

SC: Cannot force vaccination:

Context:

Recently, the Supreme Court (SC) of India has ruled that no one can be forced to get vaccinated because bodily autonomy and integrity are protected under Article 21 (right to life) of the Indian Constitution.

Background:

A petition was filed in the Supreme Court seeking disclosure of vaccine trial data and a stay on vaccine mandates.

What has the court said?

- The court made it clear that vaccines cannot be made mandatory, and no person can be forced to get vaccinated against his or her wishes.
- This is because the right to bodily integrity of a person under Article 21 of the Constitution includes the right to refuse vaccination.
- But, in the case of “communitarian health”, the government is entitled to regulate issues.
- The Courts also had the authority to review whether the government’s interventions met the “three-fold” requirements as expounded in the Constitution Bench judgment in S. Puttaswamy case (the judgment which upheld the right of privacy as a constitutional right under Article 21).

What next?

- The court directed the Centre to set up a virtual public platform at the earliest to facilitate individuals and private doctors to report adverse vaccine events without compromising their privacy.
- The court directed the Union government to ensure that the findings and results of the relevant phases of clinical trials of vaccines already approved by the regulating authorities for administration to children be made public at the earliest.
- Regarding segregation of vaccine trial data, subject to privacy of individuals, all trials conducted and to be subsequently conducted, all data must be made available to the public without further delay.

Justice K.S. Puttaswamy vs. Union of India:

In 2017, a 9-judge bench of the SC delivered a unanimous verdict affirming that the Constitution of India guarantees to each individual a fundamental right to privacy under Article 21 of the Indian Constitution.

- Article 21: No person shall be deprived of his life or personal liberty except according to procedure established by law.

Three-fold test laid down in the judgement:

The courts had the authority to determine whether the government's intrusions into an individual's personal autonomy satisfies the "three-fold" conditions.

The three-fold requirements include:

1. The activity must be backed by a law.
2. The state must have a legitimate interest to bring such a law that collides with fundamental right.
3. The state's infringement must be proportional to its aim.

Sources: the Hindu.

Vaccine hesitancy:

Context:

While last year, before the second wave, vaccine hesitancy was ascribed to the low uptake, it is quite likely now that people are exercising their option of waiting for more kinds of the vaccine.

- The current attitude is foregrounded in the ground reality that daily infections are low despite a complete opening up of normal life.

What's the Concern?

A vaccine is one of the essential weapons in the armamentarium in our war against the pandemic. Any hesitation in accepting the vaccine will have a negative consequence on our effort to control the pandemic.

Need of the hour:

1. Proactively address the reasons behind this hesitancy.
2. Give confidence to the public by discussing the robustness of various processes involved in drug/vaccine development – clinical trial designs,

conduct, monitoring, analysis, reporting and the regulatory reviews that happen before it is approved.

3. This will make the public aware about the rigorous processes followed for clinical trials, and the approval, as followed by regulators.

Vaccine Hesitancy: A generation at risk:

- Vaccine hesitancy is defined by WHO as a “delay in acceptance or refusal of vaccines despite availability of vaccination services”.
- It was one of 10 threats to global health this year.

Sources: the Hindu.

Monetary Policy Committee (MPC):

Context:

The Central Board of Directors of Reserve Bank of India (RBI) has approved nomination of Rajiv Ranjan as ex-officio member of **Monetary Policy Committee (MPC)**.

About MPC:

The Reserve Bank of India Act, 1934 was amended by Finance Act (India), 2016 to constitute MPC.

- It is tasked with framing monetary policy using tools like the repo rate, reverse repo rate, bank rate, cash reserve ratio (CRR).
- It has been instituted by the Central Government of India under Section 45ZB of the RBI Act that was amended in 1934.

Functions:

The MPC is entrusted with the responsibility of deciding the different policy rates including MSF, Repo Rate, Reverse Repo Rate, and Liquidity Adjustment Facility.

Composition of MPC:

- The committee will have six members. Of the six members, the government will nominate three. No government official will be nominated to the MPC.
- The other three members would be from the RBI with the governor being the ex-officio chairperson. Deputy governor of RBI in charge of the

monetary policy will be a member, as also an executive director of the central bank.

Selection and term of members:

Selection: The government nominees to the MPC will be selected by a Search-cum-Selection Committee under Cabinet Secretary with RBI Governor and Economic Affairs Secretary and three experts in the field of economics or banking or finance or monetary policy as its members.

Term: Members of the MPC will be appointed for a period of four years and shall not be eligible for reappointment.

How decisions are made?

Decisions will be taken by majority vote with each member having a vote.

RBI governor's role: The RBI Governor will chair the committee. The governor, however, will not enjoy a veto power to overrule the other panel members, but will have a casting vote in case of a tie.

What is RBI Monetary Policy?

The term 'Monetary Policy' is the Reserve Bank of India's policy pertaining to the deployment of monetary resources under its control for the purpose of achieving GDP growth and lowering the inflation rate.

The Reserve Bank of India Act 1934 empowers the RBI to make the monetary policy.

What the Monetary Policy intends to achieve?

As per the suggestions made by Chakravarty Committee, aspects such as price stability, economic growth, equity, social justice, and encouraging the growth of new financial enterprises are some crucial roles connected to the monetary policy of India.

- While the Government of India tries to accelerate the GDP growth rate of India, the RBI keeps trying to bring down the rate of inflation within a sustainable limit.
- In order to achieve its main objectives, the Monetary Policy Committee determines the ideal policy interest rate that will help achieve the inflation target in front of the country.

Monetary Policy Instruments and how they are managed?

Monetary policy instruments are of two types namely qualitative instruments and quantitative instruments.

The list of quantitative instruments include Open Market Operations, Bank Rate, Repo Rate, Reverse Repo Rate, Cash Reserve Ratio, Statutory Liquidity Ratio, Marginal standing facility and Liquidity Adjustment Facility (LAF).

Qualitative Instruments refer to direct action, change in the margin money and moral suasion.

Sources: the Hindu.

National Intelligence Grid or NATGRID:

Context:

Union Minister for Home and Cooperation Amit Shah recently inaugurated the **National Intelligence Grid (NATGRID)** campus in Bengaluru.

What is NATGRID?

- Envisaged as a robust mechanism to track suspects, the NATGRID can help in preventing terrorist attacks with real-time data and access to classified information like immigration, banking, individual taxpayers, air and train travels.
- In 2010, the Cabinet Committee on Security (CCS) had given approval to the Rs 3,400-crore NATGRID project.
- C-DAC Pune has been roped in as Technology Partner and IIT, Bhilai as Plan Management Consultant for the development of NATGRID solution.

Who can access the data?

It will be a medium for 11 Central agencies such as the Intelligence Bureau (IB) and the Research and Analysis Wing (R&AW) to access data on a secured platform. The data will be procured by NATGRID from 21 providing organisations such as the telecom, tax records, bank, immigration etc.

Criticisms:

1. NATGRID is facing opposition on charges of possible violations of privacy and leakage of confidential personal information.

2. Its efficacy in preventing terror has also been questioned given that no state agency or police force has access to its database thus reducing chances of immediate, effective action.
3. According to few experts, digital databases such as NATGRID can be misused. Over the last two decades, the very digital tools that terrorists use have also become great weapons to fight the ideologies of violence.
4. Intelligence agencies have also opposed amid fears that it would impinge on their territory and possibly result in leaks on the leads they were working on to other agencies.

But, Why do we need NATGRID?

1. The danger from not having a sophisticated tool like the NATGRID is that it forces the police to rely on harsh and coercive means to extract information in a crude and degrading fashion.
2. After every terrorist incident, it goes about rounding up suspects—many of who are innocent. If, instead, a pattern search and recognition system were in place, these violations of human rights would be much fewer.
3. Natgrid would also help the Intelligence Bureau keep a tab on persons with suspicious backgrounds.
4. The police would have access to all his data and any movement by this person would also be tracked with the help of this data base.

Sources: the Hindu.

Operation Satark:

Railway Protection Force has recently started “Operation Satark” with an objective of taking action against illicit liquor/FICN/illegal tobacco products/unaccounted gold and any other items being transported through railway networks for the purpose of tax evasion and smuggling.

Jivhala:

- It is a loan scheme for inmates serving sentences in jails launched by the Maharashtra Department of Prisons.
- The credit scheme is being offered by the Maharashtra State Cooperative Bank.

- The pilot was introduced for prisoners at Yerawada Central Jail in Pune, and will gradually be extended to nearly 60 prisons across the state.
- According to bank and prison officials, this is likely the first kind of credit scheme for prisoners in India.
- While the loan will be disbursed in the name of the inmate, it will be issued to designated family members.
- In the initial phase, a loan of Rs 50,000 will be given at a 7 percent interest rate.
- Of the interest the bank earns, one percent will be given back to the system as a contribution to the Prisoners' Welfare Fund. The loan will be provided without any requirement of mortgage or guarantor.

Country of honour at the Cannes Film Market:

India will be the official country of honour at the Cannes Film Market, scheduled to take place from May 17 to May 25.

- Cannes Film Market is the business counterpart of the Cannes Film Festival and one of the largest film markets in the world.
- Established in 1959, it is held annually in conjunction with the Festival de Cannes.