

DISQUALIFICATION OF MPS, MLAS

Why in news?

- Congress leader Rahul Gandhi was held guilty and sentenced to two years in jail in a **2019 defamation case** over his remarks about the “Modi surname” by a court in Gujarat’s Surat.
- The court, which held Gandhi guilty, also granted him bail and suspended the sentence for 30 days to allow him to appeal in a higher court.
- Gandhi’s conviction has led to questions over his status as a Member of Parliament from Wayanad, Kerala.
 - A conviction which carries a sentence of two years or more will automatically result in disqualification.

What are the legal provisions regarding the disqualification of MPs/MLAs?

- Disqualification of a lawmaker is prescribed in three situations.
 - First is through the **Articles 102(1) and 191(1)** for disqualification of a member of Parliament and a member of the Legislative Assembly respectively.
 - The grounds here include holding an office of profit, being of unsound mind or insolvent or not having valid citizenship.
 - The second prescription of disqualification is in the **Tenth Schedule of the Constitution**.
 - This provides for the disqualification of the members on grounds of defection.
 - The third prescription is under **The Representation of The People Act (RPA), 1951**.
 - This law provides for disqualification for conviction in criminal cases.

How does the disqualification operate?

- The disqualification can be **reversed** if a higher court grants a stay on the conviction or decides the appeal in favour of the convicted lawmaker.
- In 2018, in ‘**Lok Prahari v Union of India**’ case, the SC clarified that the disqualification will not operate from the date of the stay of conviction by the appellate court.

- Here, it should be noted that the stay cannot merely be a suspension of sentence, but a stay of conviction.
- Under Section 389 of the CrPC, an Appellate Court can suspend the sentence of a convict while the appeal is pending.
- This is akin to releasing the appellant on bail.

PATENT MONOPOLY/EVERGREENING: INDIA REJECTS JOHNSON & JOHNSON'S ATTEMPT TO EXTEND MONOPOLY ON LIFESAVING TB DRUG

Why in News?

- The Indian Patent Office rejected U.S. pharmaceutical giant Johnson & Johnson's (J&J) attempt to extend its monopoly on the manufacturing of the anti-tuberculosis drug Bedaquiline in India beyond July 2023.
- This will pave the way for generic drug manufacturers (Lupin and Macleods) to produce Bedaquiline tablets, thus ensuring cheaper (currently priced at \$400 per six-month course) and wider access to the drug.

What is the Evergreening of Patents?

- The evergreening of patents is a practice of **tweaking drugs in order to extend their patent** term and thus their profitability.
- The Indian **Patents Act 1970** introduced many provisions [Sections 3(d), 53(4) and 107A] to prevent the mischievous practice of “evergreening” of patents.
- This is to **aid millions of people who can't afford the expensive** modified drugs, as well as the development of the domestic **generic drug market**.
- However, evergreening patents on drugs (diabetes, cancers, cardiovascular diseases, etc) **continue to be granted to pharmaceutical innovator companies by the Indian Patent Office** and enforced through courts.

Why is Patent Monopoly/Evergreening Granted?

- The economic assumption behind the **Patent Bargain** (private risk is rewarded and incentivised in return for a limited private monopoly right) is to have a **trickle-down impact** that benefits the general population.
- Therefore, patent monopolies are granted to innovators in the hope that **they disclose something new, inventive and of industrial value to the public.**
- However, **the Patent Bargain becomes a Faustian bargain** (in which a person abandons his or her moral principles to obtain benefits),
 - **Undermining competition in the market** and
 - Enables patentees to extract more from the society than permitted.

What is the Supreme Court's Verdict in this Regard?

- In Novartis AG v. Union of India & Others (2013), the apex court held that the legislative intent is to **prevent evergreening of a patent monopoly** that in no way enhances the drug's therapeutic efficacy.
- However, the SC's verdict has **not yielded any positive outcomes** both from the Patent Office and subordinate courts, rather it delayed entry of generic versions, **adversely affecting the availability of affordable medicines.**

WORLD TB DAY 2023

Why in news?

- Each year, the World TB Day is celebrated on March 24. This year's theme is '**Yes! We can end TB!**'.
- This year, on World TB Day, Prime Minister Narendra Modi is scheduled to address the One World TB Summit.

What is One World TB Summit?

- One World TB Summit is being organised on World Tuberculosis Day at Rudrakash Convention Centre in Varanasi.



CROSS & CLIMB ROHTAK



- It is being organised by the Ministry of Health and Family Welfare (MoHFW) and the Stop TB Partnership.
- Founded in 2001, the Stop TB Partnership is a United Nations-hosted organisation that amplifies the voices of the people, communities, and countries affected by TB.

What is Tuberculosis?

- TB is a **bacterial infection** spread through inhaling tiny droplets from the coughs or sneezes of an infected person.
- Mycobacterium tuberculosis bacteria is responsible for TB.
- It mainly affects the lungs, but it can affect any part of the body, including the tummy (abdomen), glands, bones and nervous system.
- TB is a potentially serious condition, but it can be cured if it's treated with the right antibiotics.

How many TB cases are detected each year in India?

- India accounts for 28% of all TB cases in the world, according to the Global TB Report 2022.
- There were 21.3 lakh cases detected in 2021 as compared to 18.05 lakh cases in 2020.
- India continues to be the largest contributor to global TB cases. However, there has been a decline in the number of cases in 2021.

What is India's TB elimination target?

- Although **elimination of Tuberculosis** is one of the sustainable development targets to be achieved by 2030 by the world, **India has set the target of 2025**.
- The **national strategic plan 2017-2025** sets the target of India reporting no more than 44 new TB cases or 65 total cases per lakh population by 2025.
- The programme aims to reduce the mortality to 3 deaths per lakh population by 2025.
- The estimated TB mortality for the year 2020 stood at 37 per lakh population.
- The plan also aims to reduce catastrophic costs for the affected family to zero.
- The goals are in line with the **World Health Organisation's End TB strategy** that calls for 80% reduction in the number of new cases, 90% reduction in mortality, and zero catastrophic cost by 2030.

What steps are being taken to achieve this target?

- To achieve the TB elimination target of 2025, the government has taken several steps including:
 - looking for cases actively among vulnerable and co-morbid populations,
 - screening for it at the health and wellness centres, and
 - calling on the private sector to notify all TB cases.
- An online **Ni-kshay portal** has been set up to track the notified TB cases.
- The pandemic has led to improved access to the more accurate molecular diagnostic tests like CB-NAAT and TureNat.
 - At present, there are 4,760 molecular diagnostic machines available, covering all districts of the country.
- The government has also implemented a universal drug susceptibility test.
 - It means that **antibiotic susceptibility** of the mycobacterium is determined for **all newly diagnosed cases**.
 - Earlier, the patients were started on first line treatment and were tested for drug resistance only if the therapy did not work.
- The government also launched the community engagement programme where **Ni-kshay mitras** can adopt TB patients and provide them monthly nutritional support.
 - So far, 71,460 Ni-kshay Mitras have adopted about 10 lakh TB patients under the programme.

What are the improvements in treatment protocols?

- Newer drugs such as Bedaquiline and Delamanid for the treatment of drug-resistant TB have been included in the government's basket of drugs provided free to TB patients.
- These new drugs have also been included in the **new National List of Essential Medicines** that gives the government power to regulate their market price as well.
- Researchers have also been studying shorter three- and four-month courses of anti-tubercular drugs, instead of the existing six-month therapy.
 - Anti-tubercular drugs have to be taken for six months to over two years depending on the susceptibility of the mycobacterium.

- Long duration of treatment results in people dropping out in between, increasing their likelihood of developing drug-resistant infections later.
-

COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT (CEPA)

India and the United Arab Emirates (UAE) are gearing up for a review of the Comprehensive Economic Partnership Agreement (CEPA) that may see discussions towards the integration of key portals of both nations to boost trade.



About Comprehensive Economic Partnership Agreement (CEPA):

- It is a type of free trade pact that covers negotiation on the **trade in services and investment, and other areas** of economic partnership.
- CEPA also looks into the regulatory aspect of trade and encompasses an agreement covering the regulatory issues.

What are the types of Trade Agreements?

- **Free Trade Agreement:** It is an agreement in which two or more countries agree to provide preferential trade terms, tariff concession etc. to the partner country. Here a negative list of products and services is maintained on which the terms of FTA are not applicable.
- **Preferential Trade Agreement:** In this, two or more partners give preferential right of entry to certain products. This is done by reducing duties on an agreed number of tariff lines. India signed a PTA with Afghanistan.
- **Comprehensive Economic Partnership Agreement:** It is more comprehensive than an FTA. CECA/CEPA also looks into the regulatory aspect of trade.
- **Comprehensive Economic Cooperation Agreement:** CECA generally covers negotiation on trade tariffs and TQR rates only. It is not as comprehensive as CEPA. India has signed CECA with Malaysia.
- **Framework agreement:** It primarily defines the scope and provisions of the orientation of the potential agreement between the trading partners. It provides for some new areas of discussion

and set the period for future liberalisation. India has previously signed framework agreements with the ASEAN, Japan etc.

SEEKHO AUR KAMAO SCHEME

Recently, the Union Minister of Minority Affairs informed Lok Sabha about the Seekho Aur Kamao scheme.



About Seekho Aur Kamao scheme:

- Seekho Aur Kamao is a skill development scheme for **the youth of the 14 - 35 years age group.**
- It aims at providing employment and employment opportunities, improving the employability of existing workers, school dropouts etc.
- The scheme ensures 75% placement, out of which 50% should be in the organized sector.
- As per scheme guidelines, the implementing organizations will be required to establish linkages with placement services.
- For the candidates interested in self-employment after availing the training, the organization shall arrange easy microfinance/ loans for them through financial institutions, National Minority Development Finance Corporation (NMDFC), banks etc.
- Post-placement **support of Rs. 2000/- per month** is provided to placed trainees for two months as placement assistance.

EXERCISE VAYU PRAHAR

The Indian Army and the Indian Air force recently conducted a joint exercise, 'Vayu Prahar'.



About Exercise Vayu Prahar:

- It is a **multi-domain air-land** exercise jointly conducted by the **Indian Army and the Indian Air Force.**

- The special forces also participated along with the Army and the Navy in the 96-hour exercise which was held in the eastern theatre.
- **Objective:** To validate joint plans to prosecute synergized multiple-domain operations.
- The scope of the exercise included the rapid mobilization of an earmarked **Rapid Reaction Force from the hinterland to undertake air-landed operations** in a nominated Advance Landing Ground.
- The air-landed force further **executed contingency tasks** as per a realistic exercise scenario in **challenging high-altitude terrain conditions**.
- The exercise **enabled coordination and rehearsal amongst various agencies** for quick mobilization, transportation, and deployment of forces within a theatre.

WHAT IS THE SAGAR MANTHAN DASHBOARD?

Union Minister for Ports, Shipping (MoPSW), and Waterways recently launched the Sagar Manthan dashboard.



About Sagar Manthan dashboard:

- It is the **real-time performance monitoring dashboard of MoPSW**.
- It will have **all the integrated data** related to the ministry and other subsidiaries.
- The platform has been **developed completely in-house** under the guidance of the Secretary, MoPSW, in the span of fewer than 1.5 months.
- **Features of the dashboard:**
 - Data visualization;
 - Real-time monitoring;
 - Improved communication;
 - Data-driven decision-making;
 - Increased accountability;
- It also **promotes real-time project tracking, risk management, resource allocation, and progress reporting**.

- The dashboard in the future would further be integrated with Input from the CCTV camera, Live streaming from Drones, and AI-based Algorithms.
-

EXERCISE KONKAN 2023

Konkan 2023, the bilateral maritime exercise between the Indian Navy and the UK's Royal Navy, was recently held off the Konkan coast in the Arabian Sea.



About Exercise Konkan 2023:

- Konkan exercise is the annual bilateral maritime exercise between the Indian Navy and the UK's Royal Navy.
 - INS Trishul, a guided missile frigate, and HMS Lancaster, a Type 23 guided missile frigate, participated in this edition.
 - They undertook multiple maritime drills to enhance interoperability between the two forces and imbibe best practices.
 - The exercises covered all domains of maritime operations, air, surface, and sub-surface.
 - It included gunnery shoots on the surface inflatable target 'Killer Tomato', helicopter operations, anti-air, and anti-submarine warfare drills, Visit Board Search and Seizure (VBSS), ship maneuvers, and exchange of personnel.
 - The exercise will help the Indian Navy and Royal Navy work together to improve maritime security and maintain a rules-based order in the region.
-

PENCIL PORTAL

Recently, the Minister of State for Labour and Employment informed Rajya Sabha about the PENCIL portal and implementation of the National Child Labour Project (NCLP) Scheme.



About PENCIL Portal:

- Full Name: Platform for Effective Enforcement for No Child Labour

(PENCIL).

- **Objective:** It is a separate online portal to ensure effective enforcement of the provisions of the Child Labour Act and smooth implementation of the National Child Labour Project (NCLP) Scheme.
- **What are the Components?** The PENCIL Portal has various components, namely Child Tracking System, Complaint Corner, State Government, National Child Labour Project and Convergence.
- **Features of the portal**
 - The Portal connects Central Government to State Government(s), District(s), all Project Societies and the General public.
 - Further, online complaints regarding child labour can also be filed by anybody on the Pencil Portal. The complaint gets assigned to the concerned Nodal Officer automatically by the system for further necessary action.

What is the National Child Labour Project (NCLP)?

- The National Child Labour Project (NCLP) is a **Central Sector Scheme** for the rehabilitation of child labour.
 - Under this Scheme, **funds** are provided directly to the **District Project Societies headed by the District Magistrate/Collector/Deputy Commissioner** who in turn allocates the funds to NGOs/Voluntary Agencies, etc. for running Special Training Centres.
-