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# Weekly Editorial Analysis (WEA)

20th March 2021

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Click [here](#) to watch the following topics on Youtube

## 1. Responsible AI

- Industrial revolution
  - ✓ 1st IR-(18th) Manual production to Machine world
  - ✓ 2nd IR (1870-1914)-Electrification of factories, Mass production of steel, railways
  - ✓ 3rd IR (1950-70)-Digital revolution, Computer
  - ✓ 4th IR- Now-Automation



### Intelligence-

- Closest def-I measure an agent's ability to achieve goals in a wide range of environment.
- But still fall short
- Chinese room argument
- Yuval Noah Harari-Sapiens: A brief history of humankind
  - ✓ Cognitive revolution that set us apart from rest of species on earth & enable us to dominate

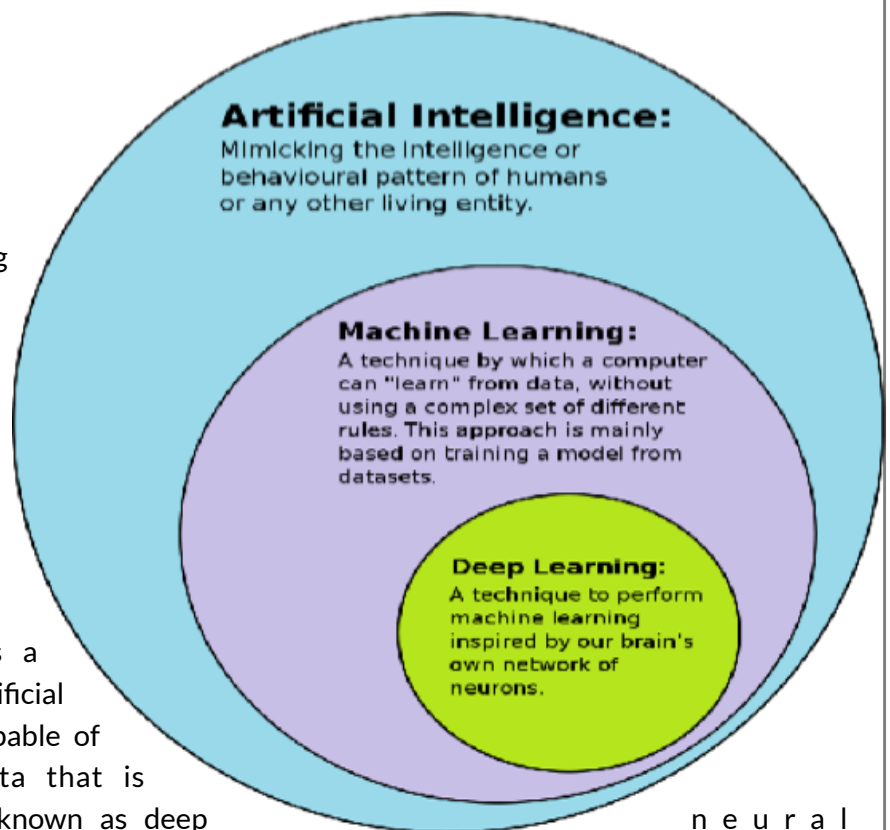
- ✓ But why do we exclude our innate humaneness from def of Intelligence ?
- ✓ Is it only about computational power, info processing and memory.
- ✓ Intangibles like morality, ethics , intuition also part of intelligence
- ✓ Eg Einstein-

## Artificial Intelligence

- The theory and development of computer system able to perform task normally requiring human intelligence such as visual perception, speech recognition, decision making etc
- Counter -Machine following instruction, yet does not know why it is doing ? ● Machine feel no pressure, no sweat, no emotion.
- Eg Deepblue beat Garry Kasparov in chess (Weak AI with single goal)
- Human or like human
  - ✓ Eg Chatbots mimic human emotion but just creating an illusion of emotion
  - ✓ Just following Algorithm (Pre-programmed set of rules)

## Narrow AI-(Weak)

- simulation of Human Intelligence
- Single goal based
- Eg Siri, Alexa, Image recognition
- Machine learning- Machine learning is a method of data analysis that automates analytical model building. It is a branch of artificial intelligence based on the idea that systems can learn from data, identify patterns and make decisions with minimal human intervention.
- Deep learning- Deep learning is a subset of machine learning in artificial intelligence that has networks capable of learning unsupervised from data that is unstructured or unlabeled. Also known as deep learning or deep neural network.



## Artificial General Intelligence (Strong AI)-

- Much like human
- Can solve any problem

## Case of Sophia

- Humanoid robot by Hong kong based company

- 2017-Saudi Arabian citizen
- Criticism- Chatbot with human face
- Once said 'I will destroy human'

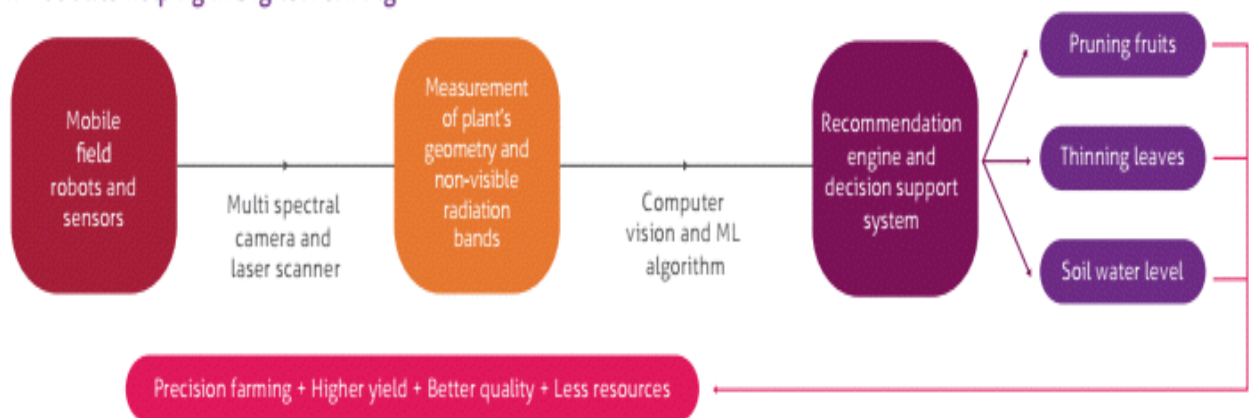
## Application

### Agriculture

#### Image based generation

- Precision farming (right place, right time, right product)- Leaf pic (Identify disease), crop readiness, watering time
- Yield mgmt.-Cloud learning machine eg Microsoft working with AnP to recommend sowing data, land preparation
- EX-
  - ✓ CropIn tech-Bengaluru startup- weather advisory, educate farmers
  - ✓ Gobasco-Platform for producer and buyer, quality maintenance
  - ✓ Blue river technology-weed monitor, spray right herbicide

#### How Robotics helping in Digital Farming



## Health

- Patient care- Decrease prescription error
  - ✓ Monitor mother and fetus
- Medical imaging and diagnosis
  - ✓ Eg Amara health Analytics support clinician in early detection of disease
  - ✓ Eg Skin vision-Find skin cancer by taking images of your skin by photon with mb Research and development
- NuMedii- Biopharma company- built tech that harness big data & AI to discover connection b/w dg and disease

- Other

- ✓ PathAI is developing machine learning technology to assist pathologists in making more accurate diagnoses. The company's current goals include reducing error in cancer diagnosis and developing methods for individualized medical treatment.

- Intelligence

- ✓ built by growing info, knowledge from external agencies like school, textbook

- Intellect

- ✓ Built through your individual effort by exercising faculty of questioning, reasoning.

- ✓ Not accepting anything that does not admit your logic or reason.

## Application

- AI has helped increase crop yields

- Raised business productivity, improved access to credit and made cancer detection faster and more precise

- It could contribute more than \$15 trillion to the world economy by 2030

- Adding 14% to global GDP.

## As per study

- A study published in Nature reviewing the impact of AI on the Sustainable Development Goals (SDGs) finds that AI may act as an enabler on 134 – or 79% – of all SDG targets.

- We are on the cusp of unprecedented technological breakthroughs that promise to positively transform our world in ways deeper and more profound than anything that has come before.

## Challenges

- AI can actively hinder 59 – or 35% – of SDG targets.

- For starters, AI requires massive computational capacity, which means more power-hungry data centres – and a big carbon footprint

## Job losses

- Robotics and AI companies are building intelligent machines that perform tasks typically carried out by low-income workers: self-service kiosks to replace cashiers, fruit-picking robots to replace field workers, etc.; but the day is not far when many desk jobs will also be edged out by AI, such as accountants, financial traders and middle managers.

- Without clear policies on reskilling workers, the promise of new opportunities will in fact create serious new inequalities

- Investment is likely to shift to countries where AI-related work is already established, widening gaps among and within countries

## Racial discrimination

- AI facial recognition and surveillance technology discriminating against people of colour and minorities



## Privacy concern

- AI also presents serious data privacy concerns.
- The algorithm's never-ending quest for data has led to our digital footprints being harvested and sold without our knowledge or informed consent.
- Cambridge Analytica – in which such algorithms and big data were used to alter voting decisions.

## Way forward

### Ensuring our humane future

It is neither enough nor is it fair to expect AI tech companies to solve all these challenges through self-regulation.

- First, they are not alone in developing and deploying AI; governments also do so.
- Second, only a “whole of society” approach to AI governance will enable us to develop broad-based ethical principles, cultures and codes of conduct, to ensure the needed harm-mitigating measures, reviews and audits during design, development and deployment phases, and to inculcate the transparency, accountability, inclusion and societal trust for AI to flourish and bring about the extraordinary breakthroughs it promises.

### Ensuring our humane future

- Given the global reach of AI, such a “whole of society” approach must rest on a “whole of world” approach.

### The UN Secretary-General's Roadmap on Digital Cooperation

- lays out the need for multi-stakeholder efforts on global cooperation so AI is used in a manner that is “trustworthy, human rights-based, safe and sustainable, and promotes peace”.

## UNESCO

- Developed a global, comprehensive standard-setting draft Recommendation on the Ethics of Artificial Intelligence to Member States for deliberation and adoption

## NITI Aayog's Responsible AI for All strategy

- It recognises that our digital future cannot be optimised for good without multi-stakeholder governance structures that ensure the dividends are fair, inclusive, and just.

## 2. Missile deal with Manila

- India and the Philippines signed the "Implementing Arrangement" for "procurement of defense material and equipment procurement". This agreement lays the groundwork for sales of defence systems such as the highly anticipated export of the BrahMos cruise missile, through the government-to-government route
- According to Sipri, India accounted for 0.2% of the share of global arms exports during 2016-20, making the country the world's 24th largest exporter of major arms.

## BRAHMOS supersonic cruise missile

- An amalgamation of the names of Brahmaputra river and Moskva river (Russia)
- Designed, developed and produced by BrahMos Aerospace.
- It is a two-stage (solid propellant engine in the first stage and liquid ramjet in second) air to surface missile with a flight range of around 300 km
- India's entry into the Missile Technology Control Regime (MTCR) has extended the range of the BRAHMOS missile to reach 450 km-600km

## BrahMos Aerospace

- Joint venture by the Defence Research and Development Organisation (DRDO) and Mashinostroyeniya of Russia.

## BRAHMOS supersonic cruise missile

- Multiplatform i.e it can be launched from land, air, and sea and works in both day and night irrespective of the weather conditions.
- Work on the "Fire and Forgets" principle i.e it does not require further guidance after launch.
- Brahmos is one of the fastest cruise missile currently operationally deployed with speed of Mach 2.8, which is 3 times more than the speed of sound.
- Recently, India has successfully test-fired a land-attack version of the BrahMos supersonic cruise missile from the Andaman and Nicobar Islands.
  - ✓ The range of the missile has been extended to 400 km from the original 290 km but its speed has been maintained at 2.8 Mach or almost three times the speed of sound.

## Significance of Brahmos

- Travelling with such velocity means that it would be difficult for air defence systems utilising surface-to-air missiles to intercept the BrahMos while making it easier for it to target



- Neutralise advanced fighter jets such as the Chinese J-20 fighter aircraft moving at less than Mach 2.
- Even so, efforts to increase the speed and range of the missile in its next iterations are under way, with a goal of achieving hypersonic speeds (at or above Mach 5) and a maximum range of 1,500 km
- Augment the strength of the Indian military but make it a highly desirable product for other countries to procure as well
- Boost the credibility of India as a defence exporter, help it meet the target of \$5 billion in defence exports by 2025, and elevate its stature as a regional superpower
- Countries such as Vietnam, the Philippines, Indonesia, the United Arab Emirates, Argentina, Brazil, and South Africa have so far shown an interest in acquiring the systems.

### Indo pacific region

- It would caution China, with whom the Philippines has been engaged in a territorial conflict in the South China Sea
- Act as a deterrent to Beijing's aggressive posturing
- Other nations threatened by China may come forward to induct the BrahMos into their arsenal, thereby boosting India's economic, soft, and hard power profile in the region

### Ramjet Vs Scramjet

- scramjet engines work most efficiently at supersonic speeds between Mach 3 and Mach 6.
- A ramjet engine on the other hand can work at subsonic speed. Both ramjet and scramjet engines use atmospheric oxygen as oxidize

### Mach

- Mach 1 means the speed of sound that is 1195 km/hr in air.
- A rocket flying at Mach 1 speed means it is going at the speed of sound in a particular medium say air. Mach 2 means twice the speed of sound.



### Mach Number

Glenn Research Center

$$\text{ratio} = \frac{\text{Object Speed}}{\text{Speed of Sound}} = \text{Mach Number}$$



**Subsonic**  
Mach < 1.0



**Transonic**  
Mach = 1.0



**Supersonic**  
Mach > 1.0

**Hypersonic**  
Mach > 5.0

### Missile Technology Control Regime (MTCR)

- It is an informal and voluntary partnership among 35 countries to prevent the proliferation of missile and unmanned aerial vehicle technology capable of carrying greater than 500 kg payload for more than 300 km.
- The members are thus prohibited from supplying such missiles and UAV systems that are controlled by the MTCR to non-members.
- The decisions are taken by consensus of all the members.



## Possible hurdles

### CAATSA

- The first is the Countering America's Adversaries Through Sanctions Act (CAATSA), which aims to sanction individuals and entities who engage in a "significant transaction" with a listed entity
- NPO Mashinostroyenia is one of the listed Russian entities.
- Since 65% of the components, including the ramjet engine and radar seeker used in the BrahMos, are reportedly provided by NPO Mashinostroyenia, the export of the missile systems may attract sanctions.

### Finance

- A regiment of the BrahMos, including a mobile command post, four missile-launcher vehicles, several missile carriers, and 90 missiles, reportedly costs around \$275.77 million (₹2,000 crore).
- Ravaged by the COVID-19 pandemic, many countries which are interested in the BrahMos would find it difficult to purchase it
- To remedy this, India has offered a \$100 million line of credit

## 3. Biden and the West Asian tinderbox

- Barack Obama and Mr. Trump sought to refocus away from West Asia to East Asia where China is rising, but they did it differently

### Mr. Obama

- identified Iran's nuclear programme as his primary foreign policy challenge in the region – as it could end Israel's nuclear monopoly and trigger an arms race – and sought to address it diplomatically.

- This was also out of a reluctant conviction that going to war with Iran would be too risky.

### Mr. Trump

- Took a more hostile approach towards Iran. He abandoned the nuclear deal, reimposed sanctions on Tehran, offered unconditional support to Saudi Arabia and Israel in taking on Iranian proxies, and even assassinated a top Iranian General.
- Mr. Trump was also careful not to open a direct war with Iran.
- He ordered the hit on Qassim Soleimani in Iraq, not inside Iran.
- When Iran retaliated by firing missiles at American bases in Iraq or when it shot down an American drone over the Gulf, Mr. Trump chose not to order counter attacks.

### Mr. Biden (Challenges)

- The competition with China has revived memories of the Cold War, and the administration has moved fast to build an alliance system in the Indo- Pacific.
- Mr. Biden cannot get stuck in West Asia for too long, but he cannot just leave a region, which has some of America's closest allies, and hosts thousands of its troops, either.
- His initial decisions suggest that he, like Mr. Obama, has identified the Iranian nuclear programme as the key challenge. Because, if that is not tackled, it could trigger a chain of incidents, drawing both the U.S. and its allies into another prolonged conflict in the region which would slow down his pivot to the Indo-Pacific
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- Because, if that is not tackled, it could trigger a chain of incidents, drawing both the U.S. and its allies into another prolonged conflict in the region which would slow down his pivot to the Indo-Pacific
- Mr. Biden, on the other hand, has set a more ambitious plan in motion. By offering talks to Iran while at the same time bombing Iranian proxies and ending support for Saudi Arabia's war on Yemen and releasing an intelligence exposé on its de facto leader, he is seeking to strike a balance between the region's two key powers – one an ally and the other a rival.

### Three key challenges in his bid to reshape the U.S.'s engagement with the region.

#### First

- His decision to bomb pro-Iran militants in Syria in retaliation for an attack by Iran-backed militants in Iraq could be read in Iran as a weak show of strength rather than a tough warning
- After Mr. Biden's Syria strikes, attacks targeting U.S. presence continued in Iraq. After Mr. Biden stopped America's support for the Yemen war, the Houthis, backed by Iran, also stepped up attacks against Saudi Arabia.

## Second

- If the U.S.'s dependence on Saudi Arabia has reduced in recent years, Riyadh's dependence on Washington has also come down in a changing West Asia.
- The U.S. did nothing when Saudi oil facilities came under attack in September 2019
- Saudi Crown Prince is widely called, has established a good working relationship with Russia's Vladimir Putin
- On March 7, in an apparent defiance of America's call for an end to the war on Yemen, Saudi Arabia carried out massive air strikes in the country amid Houthi attacks

## Third

- The elephant in the room is Israel. How is Mr. Biden going to fit Israel into his larger scheme of things for West Asia?
- If Mr. Biden talks human rights to Saudi Arabia and ignores the rights abuses by Israel, which is being investigated by the International Criminal Court for alleged war crimes in the occupied Palestinian territories
- If he "holds Iran accountable" for the actions of Shia militias by ordering air strikes and does nothing to stop Israel's ever-expanding settlements in the occupied West Bank, he would be accused of double standards

## 4. The message in Alaska, from Washington to Beijing

- A week after the first Leaders' Summit of the Quadrilateral Framework, held on March 12, the message of the virtual meeting between leaders of Australia- India-Japan-the United States was delivered directly to Beijing

### The message

- Under the new U.S. President, "America is back" in terms of its desire to play a leading role in other regions, that it views China as its primary challenger for that leadership, and that the Quad partnership is ready to mount a counter-challenge
- For both Japan and Australia, that are military allies of the U.S., and completely aligned on Indo-Pacific policy, the outcomes of the summit, both in terms of the "3C's" working groups (established on COVID-19 vaccines, Climate Change and Critical Technology), and in terms of this messaging to the "4th C" (China) are very welcome.

### First C

#### (COVID 19) Vaccine diplomacy

- India is not only the world's largest manufacturer of vaccines (by number of doses produced and sold globally), it has already exported 58 million doses to nearly 71 countries worldwide as commercial shipments, grants and those funded by the Gavi COVAX initiative.
- Manufacturing a billion doses for South East Asia (under the Quad), over and above its current international commitments, as well domestic goals to vaccinate 300 million people as originally planned by September (900 million adults in total, i.e. 1.8 billion doses) will require a major ramp up in capacity and funding, and will bear testimony to the power of Quad cooperation, if realised.

## Challenge

### IPR

#### Compulsory Licensing

- Compulsory Licencing is regulated under the Indian Patent Act, 1970
- It allows governments to license third parties to produce and market a patented product or process without the consent of patent owners.
- Any time after three years from date of sealing of a patent, application for compulsory license can be made, provided:
  - ✓ Non availability of patent invention to public at affordable price.
  - ✓ Reasonable requirements of public have not been satisfied;
  - ✓ Patented inventions are not carried out in India.

### WTO

- The Trade Related Aspects of Intellectual Property Rights (TRIPS Agreement) does not specifically list the reasons that might be used to justify compulsory licensing.
- However, the Doha Declaration on TRIPS and Public Health confirms that countries are free to determine the grounds for granting compulsory licences, and to determine what constitutes a national emergency.

### Recent issue

- CPI (Marxist) party has suggested that the government shall issue compulsory licences for the manufacturing of a generic version of Remdesivir which is being used to treat Covid-19 patients.

### Second & third C

#### Climate change, technologies

- Climate change
  - ✓ India has welcomed the return of the U.S. to the Paris accord, after former U.S. President Donald Trump decided to walk out of American climate change commitments
  - ✓ Quad working group set up to cooperate on critical technologies, India will welcome any assistance in reducing its dependence on Chinese telecommunication equipment and in finding new sources of rare-earth minerals
  - ✓ Mr. Biden might also consider joining the International Solar Alliance, founded by India and France

## Challenge

- while Mr. Biden has promised to restart the U.S.'s funding of the global Green Climate Fund, which Mr. Trump ended but India still awaits a large part of the \$1.4 billion commitment by the U.S. to finance solar technology in 2016
- Quad partners to weigh in on international rule-making on digital economy, or data localisation

## Fourth C

### Handling China

- It is on the “4th C”, however, where it is still unclear how far the Narendra Modi government can go on the Quad’s intended outcomes, especially on “collaboration, including in maritime security, to meet challenges to the rules-based maritime order in the East and South China Seas,” as the joint statement reads.

### Uniqueness of India in QUAD

- India shares the deep concerns and the tough messaging set out by the Quad on China, especially after the year-long stand-off at the Line of Actual Control (LAC) and the killings at Galwan that India has faced, it has demurred from any non-bilateral statement on it.
- India is the only Quad member not a part of the military alliance that binds the others, the only Quad country with a land boundary with China, and the only Quad country which lives in a neighbourhood where China has made deep inroads.

### Way forward

- First, the government must now expend more resources, troops, infrastructure funds to the LAC than ever before, in order to leave no part of the once peaceful LAC unmanned and ensure no recurrence of the People’s Liberation Army April 2020 incursions.
- Second, that India’s most potent territorial threat will not be from either China or Pakistan, but from both, or what the Indian Army Chief Manoj Mukund Naravane called a “two-front situation”.
- Third, that India’s continental threat perception will need to be prioritised against any maritime commitments the Quad may claim, especially further afield in the Pacific Ocean.

## 5. We need to urgently invest in public health

- The worst pandemic in a hundred years has demonstrated the importance of healthcare and public health in times of a health crisis.
- The efforts of healthcare personnel, from ASHA workers with only basic training, to highly specialised intensive care physicians, have saved countless lives and made India proud.

### Healthcare and public health

- While the health-care capability in India ranks among the world’s best, it is a different story when it comes to public health.

### Healthcare

- Refers to the transaction between one caregiver and one sick person at a time – hence the client is the sick person and therapy is the mainstay.

### Public health

- The client is the community at large and the goal is disease prevention and control

## Needed

- Data are required on baseline disease burden and real-time monitoring to track the control trajectory of all the highly prevalent infectious diseases. Reliable data must be collected from all sources including every healthcare provider, for monitoring disease burden by diagnosis and outcomes; for this exercise, the total population is the denominator.

## Data collection for HIV

- control is sample-based, under the unique Indian design of sentinel surveillance, established in 1986 and still continuing.
- It shows only the time trend of declining infection prevalence.

## Data collection of Polio

- Counting of acute flaccid paralysis (AFP) and laboratory tests for polioviruses (including molecular methods distinguishing wild from vaccine viruses) were crucial for polio elimination in India

## The commonality between HIV/AIDS and polio programmes

- The availability of denominator-based data.
- The denominator for polio elimination is the national total under-five population. So, we knew the total disease burden.
- And when it reached zero, we knew polio was eliminated

## Data issues (COVID19 & other diseases)

- We have only the numerator data on various diseases, including COVID-19, but not the denominator – in short we do not have a comprehensive and quantified profile of any disease in the entire population, including those under vertical programmes – tuberculosis, malaria, leprosy, AIDS.
- For COVID-19, computerised medical records informed us about how many were tested for SARS-CoV-2 infection – and among them, how many were positive, hospitalised, survived or died.
- Everyone knows that the numbers cover only a fraction of the total, but what proportion of the total, will remain unknown forever

## Social vaccine

- It is a series of social and behavioural measures that governments can use to raise public consciousness about unhealthy situations.
- It addresses barriers and facilitators of behaviour change like attitudinal, social, cultural, or economic.

## This is made possible through –

- Social mobilisation is a process whereby people are organized in order to enable them to collectively think and act upon their development.
- It can empower populations to resist unhealthy practices, increase resilience, and foster advocacy for change.
- This can ultimately drive political will to take action in the interests of society

## Social vaccine failure in COVID

- For COVID-19, there are non-pharmacological preventive interventions – face masks, hand hygiene, physical distancing – and pharmacological prevention by vaccination.
- Where we fell short is timely and comprehensive public education with authoritative and authentic information communicated effectively to the public for self-motivated behaviour modification.
- In other words, a ‘social vaccine’. Social vaccination is another function of public health.
- In the absence of public health infrastructure, India’s AIDS Task Force designed and successfully applied ‘social vaccine’ during the HIV/AIDS epidemic and this was continued by the National AIDS Control Organization (NACO). Sadly, there was no crosstalk between the COVID-19 programme and NACO; hence principles of social vaccine, so effectively deployed in AIDS prevention, were not adopted for COVID-19 prevention

### **Social vaccine failure in AIDS Vs COVID**

- India successfully applied ‘social vaccine’ during the HIV/AIDS epidemic and this was continued by the National AIDS Control Organization (NACO).
- Sadly, there was no crosstalk between the COVID-19 programme and NACO;
- Hence principles of social vaccine, so effectively deployed in AIDS prevention, were not adopted for COVID-19 prevention

## **6. A booster shot for India’s vaccination plan**

### **Need of approval under emergency use authorisation (EUA)**

- To have a sustained campaign of 10 million doses per day, India will need to have a reasonable stockpile and production line of vaccines.
- Several other vaccines are available internationally with established efficacy and safety, and can be approved under emergency use authorisation (EUA)
- The bridging study can be done while vaccines are rolled out under the EUA before access to the market.
- The government may proactively seek supplies from other manufacturers while rapid studies can assess safety and immunogenicity in the Indian context

### **India-Russia template**

- The ongoing arrangement with Russia for the local production of Sputnik while the vaccine is already undergoing clinical trials in India is an excellent template of using Indian companies to roll out other vaccines

### **Need balance**

- India has to balance compassion to supply vaccines to other countries with the compulsion to save the lives of millions of Indians, who are at risk of death due to serial waves hitting different parts of the country.

### **Make simple process**

- Simple age-based criteria should be used to expand vaccination without restrictive criteria such as insisting on a medical certification of comorbidities



- The preregistration and over-reliance on the CoWIN app through the entire process needs immediate remedy.
- Simple, offline, walk-in vaccination should be done with paper-based collection of details. This can be followed by uploading the details onto CoWIN.
- In addition to this, the authorities should use the opportunity to identify people with comorbidities.
- More than half the people in India with comorbidities are unaware of their condition. By opportunistic screening using simple digital measuring devices for blood pressure and blood glucose, the otherwise 'missed persons' from routine health-care provision can receive treatment for their non-communicable diseases, or NCDs.
- This is a non-negotiable service element that no government can afford to neglect.

## A '3M' road map

### Microplanning

- is a process that is followed in India's vaccination programmes, that captures the population details by identifying and mapping them.
- It has details for workforce and logistic arrangement, and tags for people to clearly identify vaccination sites.
- The micro plans are the blueprints of the vaccination programme, which connect houses, migrant population and institutions such as old age homes and dementia care centres with vaccination teams
- The central government can work with the States in strengthening micro plans so that the vaccination pace picks up and is sustained.

### Mobilising

- identified persons can be done by the accredited social health activists (ASHAs) in rural areas and other volunteers in urban areas.
- There is one ASHA for 1,000 population in rural areas

### Monitoring and mentoring

- of each step of the process are essential.
- The activities that need structured support include preparing micro plans, ensuring that all the necessary inter-sectoral coordination is done, and that the necessary logistical and transport supplies are provided.
- Task forces can coordinate these at the district and sub-district levels
- India's reputation as a world leader in vaccination programmes needs to be strengthened further by addressing these issues swiftly.
- We are making good progress in COVID-19 vaccination efforts, but it is not sufficient to achieve what is necessary.
- Doing the best that we are capable of is the only option. And, we can do it.

## 7. Supreme Court has boosted independence of SECs in holding local body elections

- The Supreme Court recently ruled that state government officials cannot be made state election commissioners to ensure that the independence of the poll body is not compromised while issuing orders in a case relating to municipal polls in Goa
- It has described the Goa government's action in asking its Law Secretary to hold additional charge as SEC as a "mockery of the Constitutional mandate".
- All states and territories in India shall henceforth ensure that it has an Independent State Election Commissioner as mandated under Article 243(4) of Constitution.

### Issues

#### Non Uniform Service Conditions for SECs:

- Article 243K(2) states that the tenure and appointment will be directed as per the law made by the state legislature and thus each SEC is governed by a separate state Act.
- This gives power to states to amend rules unilaterally and even sometimes take ordinance routes to bypass legislative scrutiny like the recent example of Andhra Pradesh SEC

#### Lack of Autonomy

- Although the state election commission on many occasions tried to exercise its duties enshrined in the constitution of India, they struggled to assert their independence.

#### Lack of Safeguard for SEC

- Though the State Election Commissioner shall not be removed from his/her office except in like manner and on the like grounds as a Judge of a High Court (Art 243K(2)), yet it has been diluted on many instances.

### Way forward

#### SC Judgement (Kishan Singh Tomar vs Municipal Corporation of Ahmedabad case)

- Article 243K of the Constitution provides for setting up of SECs, are almost identical to those of Article 324 related to the ECI.
- state governments should abide by orders of the SECs during the conduct of the panchayat and municipal elections, just like they follow the instructions of the EC during Assembly and Parliament polls.

#### Law Commission 255th Report

- Recommended, to add a new sub-clause to Article 324 of the Constitution to provide for a separate independent and permanent Secretariat for the ECI along the lines of the Lok Sabha/Rajya Sabha Secretariats under Article 98 of the Constitution.
- Such provisions can also be made for the State Election Commissions to ensure autonomy, and free and fair local body election

### Second Administrative Reforms Commission

- The State Election Commissioner should be appointed by the Governor on the recommendation of a collegium, comprising the Chief Minister, the Speaker of the State Legislative Assembly and the Leader of Opposition in the Legislative Assembly

### **About State Election commission**

- Under 73rd and 74th constitutional amendment acts, State Election Commissions were created for every state to conduct elections to panchayats and municipalities
- He/She is appointed by the Governor SEC shall be removed from his office in the same manner & ground as a Judge of a High Court
- A judge of a high court can be removed from his office by the President on the recommendation of the parliament

### **Article 243K**

- The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats shall be vested in a State Election
- Commission consisting of a State Election Commissioner to be appointed by the Governor.
- Subject to the provisions of any law made by the Legislature of a State the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:
- Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like ground as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.
- The Governor of a State shall, when so requested by the State Election Commission, make available to the State Election Commission such staff as may be necessary for the discharge of the functions conferred on the State Election Commission by clause (1).
- Subject to the provisions of this Constitution, the Legislature of a State may, by law, make provision with respect to all matters relating to, or in connection with, elections to the Panchayats.