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Weekly Editorial Analysis (WEA)

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Note -

- The Newspaper clippings pasted in PDF are important from Mains point of view as it contains the fodder material for Mains Answer Writing.
- Also watch DND video lectures everyday @ 4 PM on Sleepy's YouTube channel in order to understand how to get the most out of everyday's Newspaper .

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1. In Ireland's complex troubles, lessons for India

- The communal clashes of April in Northern Ireland caught the media attention of many countries, but not in India, though the events carry relevant lessons and warnings for this country. Those riots, that left 74 policemen injured, threaten to **undermine the fragile peace between Protestant pro-British loyalist unionists who want to remain part of the United Kingdom forever, and Catholic pro-Irish nationalists who wish Northern Ireland to become part of the Republic of Ireland**



Anglo-Irish Good Friday Agreement

- Northern Ireland altered enormously for the better after the signing of the **Anglo-Irish Good Friday Agreement in 1998**, and for the accord to have received strong support across the divided island was a remarkable achievement.
- This **Agreement began the process of dismantling border controls between the North and the Republic of Ireland, but subsequent developments showed that social issues remained unaddressed**: both religious communities 'experienced little or no peace dividend after the Agreement, and **poverty and deprivation linked to educational under-achievement** and high unemployment affects both nationalist and loyalist areas alike' in Northern Ireland.
- The **localities most deprived during the pre-Agreement communal riots remain the most deprived areas within Northern Ireland today.**

Brexit, a stress test

- Britain's break from the European Union (Brexit) was always going to prove a **major stress test for Northern Ireland because 56% of its electorate voted to remain in the European Union.**
- Much of the **present anger relates to the specific protocol** concerning Northern Ireland, which **'provided for the territory to remain in the customs union and single market of the European Union while protecting its status as part of the United Kingdom.'**
- The unionist party **'campaigns for Brexit on the basis that a United Kingdom outside the European Union would make a future united Ireland much more difficult to achieve,** but the opposite has actually turned out to be true, and a united Irish island is now being discussed in a way that scarcely seemed possible prior' to the Brexit referendum of 2016.
- The recent violence in Northern Ireland shows that **every country needs leadership that takes responsibility** for peoples' social and economic problems and steers prejudices away from entrenched phobias.
- The **ruling party in India needs to be aware that creating religious tensions** between communities has incalculable deep-seated negative consequences that will severely damage every section of society and all our established political and national institutions.

What is Brexit?

- It is the abbreviation of "British Exit" from the European Union (EU).

Benefits of European Union

- Free movement of capital & Labour
- Lower prices of services & goods
- Development of poor countries
- Better bargaining power
- Political benefits

Reason to leave

- Euro currency issue
- Money matters
- Overpopulation
- Security issues
- Immigration

Impact on UK

- GDP decrease
- InflationTechnologies
- Lost job opportunity in Germany

Impact on India

- Trade
- Migration and employment
- Education
- Auto component

Why is Northern Ireland a contested land?

- Geographically, Northern Ireland is part of Ireland. **Politically, it's part of the United Kingdom.**
- Ireland, long dominated by its bigger neighbour, broke free about 100 years ago after centuries of colonisation and an uneasy union.
- **Northern Ireland's Catholic minority experienced discrimination** in jobs, housing and other areas in the Protestant-run state.
- In the **1960s, a Catholic civil rights movement demanded change**, but faced a harsh response from the government and police.
- The British Army was deployed in 1969, initially to keep the peace.
- The situation deteriorated into a **conflict between Irish republican militants who wanted to unite with the south, loyalist paramilitaries who sought to keep Northern Ireland British, and UK troops.**

How did the conflict end?

- By the 1990s, after secret talks and with the help of diplomatic **efforts by Ireland, Britain and the United States**, the combatants reached a peace deal.
- The **1998 Good Friday accord** saw the paramilitaries lay down their arms and **established a Catholic-Protestant power-sharing government for Northern Ireland.**
- The question of Northern Ireland's **ultimate status was deferred: it would remain British as long as that was the majority's wish**, but a future referendum on reunification was not ruled out.

How has Brexit complicated things?

- **Northern Ireland has been called the "problem child" of Brexit**, the UK's divorce from the European Union.
- As the **only part of the UK that has a border with an EU nation**, Ireland, it was the trickiest issue to resolve after Britain voted narrowly in 2016 to leave the 27- nation bloc.
- An **open Irish border, over which people and goods flow freely, underpins the peace process, allowing people in Northern Ireland to feel at home in both Ireland and the UK.**
- The insistence of Britain's Conservative government on a **"hard Brexit that took the country out of the EU's economic order meant the creation of new barriers and checks on trade.**
- **Both Britain and the EU agreed that border could not be in Ireland** because of the risk that would pose to the peace process.
- The **alternative was to put it, metaphorically, in the Irish Sea** between Northern Ireland and the rest of the UK.

- That arrangement has **alarmed British unionists, who say it weakens Northern Ireland's place in the United Kingdom** and could bolster calls for Irish reunification.

Why has violence erupted now?

- Britain left the EU's economic embrace on December 31, and the new trade arrangements quickly became an irritant to Northern Ireland unionists who want to stay in the UK
- Early trade glitches, exacerbated by the **coronavirus pandemic**, led to some empty supermarket shelves, fueling alarm.

2. Under-reporting does hurt the COVID fight

- India, now home to the world's worst ongoing coronavirus pandemic, is currently reporting **nearly a million new cases and 10,000 deaths every three days**, according to data released by the Ministry of Health and Family Welfare

why we cannot capture all COVID-19 infections

- Silent **asymptomatic infections**
- Barriers to **testing** due to cost and travel time
- **Reluctance to get tested** due to COVID-19 associated stigma
- Limited availability of tests
- Obtaining a **false negative test** (remember that diagnostic tests are not perfect) and alike.

Missing death cases

- Deaths related to COVID-19 that are missed often consist of **deaths that happened outside health-care facilities at home**, and post-COVID-19 deaths where the cause of death is listed as a pre-existing comorbidity such as heart disease or kidney failure
- India also has a **poor and delayed infrastructure for reporting of deaths** and certifying the cause of death in general, particularly in the rural areas.
- In a 2017 estimate, **one out of five deaths was medically reported.**

How do we estimate this under-reporting from epidemiologic models?

- For modelling growth of an epidemic, what we **observe are deaths, cases or hospitalisations.**
- However, **what really defines an epidemic is not exactly the growth of these observed quantities but the infections**, which in turn become these outcomes (deaths, cases, hospitalisations) with some delay, and not all infections get converted to these observed quantities.
- What **proportion of people die from an infection is a very important** quantity as it allows us to know how dangerous a disease is.
- Another important quantity is how many infections a health system identifies, that is, how many of these will actually end up being reported as cases.
- A **high number of infections being caught by the health system shows a successful surveillance strategy.**

On epidemiological models

- In a recent study , epidemiological models **attempt to capture covert infections** by accounting for unreported, but infectious individuals.
- Such models indicate the **under-reporting factor** for cases between **10 and 20** and for deaths **between two and five** based on data from the first wave for India.

How do we validate the extent of unreported cases:

- We can cross-check under-reporting of infections **directly with serosurveys carried out in India.**
- The third **serosurvey** conducted by the Indian Council of Medical Research (from December 17, 2020 till January 8, 2021) reports that **21.5% of all Indians above the age of 18 have antibodies** present that indicate SARS-CoV-2 infection in the past.
- Only **6% of India's COVID-19 infections are reported.**
- Hence, the **question of “missing infections” in India is undeniable** and not contingent on a belief in the legitimacy of mathematical models – it is evident based on figures released by the Indian government/bodies alone.

Mortality data

- During wave 1 , a group of volunteers collected every reported death from obituaries in newspapers and **reported almost twice the number of deaths than officially reported.**

Solution

- Demographers can take the number of people who die from any cause in a given region and period and compare the same with a historical trend based on the past few years and come up with a difference of observed and expected number of deaths.
- This method of investigating excess deaths is something various nations have explored, such as the **United States (22% excess deaths in 2020 and 72% of these attributed to COVID).**
- **India has not made historical mortality** data and data from 2020 publicly available, making this calculation infeasible at this point.

Testing in India

- The bar plots show that India has a maximum daily test positivity ratio (TPR) around 25% and the U.S. had a maximum daily TPR around 15%.
- While testing and cases have grown at a comparable rate in the U.S., in **India the growth in reported cases on an average has been nearly five times higher than the growth in testing.**
- India is not testing enough.

How does under-reporting matter?

- This surge has thrown our health-care systems off balance.
- **Crucial medical supplies run dangerously low** and hospitals are forced to turn away patients.
- These **forecasting models are used to predict the need for oxygen, hospital beds, intensive care unit care needs, the peak and duration of the pandemic.**

- **Without having more informative data, accurate projections are impossible.**
- Knowing the truth is better for both public and policymakers to gauge the true state of the pandemic.
- Finally, the **exact extent of under-reporting is debatable**, but we should never forget that these numbers represent people.
- The **official system can fail to capture the diseased and the deceased, but families cannot.**

3. A CT scan for COVID merits a word of caution

- There are broadly three reasons why we perform tests in clinical medicine: **diagnosis (what is the disease), etiognosis (what caused a disease), and prognosis (how will the disease evolve).**

The Cochrane (previously known as the Cochrane Collaboration) study on accuracy of CT scans in diagnosing COVID-19.

- It was found that a CT scan **accurately diagnosed COVID-19 in about 88% of individuals** with a positive RT-PCR.
- Since an **RT-PCR itself misses 30%** of people who have COVID-19, a chest **CT is likely to diagnose only 62% of all individuals having COVID-19**, making it a relatively inaccurate test for diagnosis.

Mislabelling the cause

- The Cochrane review found that when **radiologists convincingly labelled a CT pattern as being consistent with COVID-19 disease, they mislabelled 20% of those who did not have the disease as having COVID-19**
- Telling someone who does not have COVID-19 that they do have the disease has serious implications, leaving the real diagnosis undetected, and subjecting the **individual to the psychosocial consequences** of the knowledge that she/he has the disease.
- CT is **unlikely to give a treating physician more information than a simple tool such as an oximeter.**

The risks

- A study published in The New England Journal of Medicine in 2007 postulated that **0.4% of all cancers in the United States may be attributable to the radiation from CT studies**
- Further speculated that the **current estimate could be in the range of 1.5%-2%.**
- In addition to this risk to the individual undergoing the scan, there are **risks to radiology technicians, staff and doctors** that need to be accounted for.
- Moreover, considering the fact that **CT scanners need to be kept in closed air-conditioned spaces, the risk of transmission of the virus** at such centres cannot be ruled out.

Way forward

- It is better to **recommend CT Scan to evaluate the possibility of other lung diseases when two RT-PCR swabs were negative** in patients whose symptoms were consistent with COVID-19 disease,

- Where a **possibility of blood clots in the lungs** when hospitalised, and to look for secondary infections in individuals who have been in hospital for a long time and can sometimes have new infections after being admitted for COVID-19.
- **Indications outside of these should be the exception, not the norm.**

4. Votes for tackling the coronavirus

- In 2020, **Kerala was appreciated across the world for the manner in which it dealt with the pandemic.**
- The national lockdown that was imposed in March 2020 left the daily wage labourers most vulnerable.
- To tackle the food crisis, government in the State **distributed food kits** containing essential **foodgrains and other items to all ration card holders in the State** and also set up community kitchens across all panchayats.

Survey Findings

- In the Lokniti-CSDS post-poll survey, **94% of the respondents acknowledged that they had availed themselves** of the facility of food kits at least once.
- Among them, most were satisfied with the kit with **only 11% expressing some element of dissatisfaction**.
- Even when the voters were asked to rate the overall steps taken by the State government to deal with COVID-19 over the last one year, **72% rated the steps as good.**

Tackling migration

- The data also show that **two-thirds (67%)** of the respondents acknowledged that **at least one of their household members is working in the Gulf.**
- Of them, **92% said that their family members send money back home.**
- The pandemic **caused a massive reverse migration** of workers from the Gulf back to Kerala.
- The government **made various arrangements** and provided financial assistance to those who could not go back abroad due to the lockdown.

5. A 'One Health' approach that targets people, animals

- The father of modern pathology, Rudolf Virchow, emphasised in 1856 that there are **essentially no dividing lines between animal and human medicine.**
- This concept is ever more salient as the world continues to grapple with the COVID-19 pandemic.
- Discussions that took place around World Veterinary Day, on April 24, 2021, focused on acknowledging the interconnectedness of animals, humans, and the environment, an approach referred to as "One Health".

Across the species barrier

- Studies indicate that **more than two-thirds of existing and emerging infectious diseases are zoonotic**
- Another category of diseases, “**anthropozoonotic**” infections, gets transferred **from humans to animals.**
- The transboundary impact of viral outbreaks in recent years such as the **Nipah virus, Ebola, Severe Acute Respiratory Syndrome (SARS), Middle East Respiratory Syndrome (MERS) and Avian Influenza** has further reinforced the need for us to consistently document the **linkages between the environment, animals, and human health.**

India’s framework, plans

- India’s ‘One Health’ vision derives its blueprint from the agreement between the tripartite-plus alliance comprising the Food and Agriculture Organization of the United Nations (**FAO**), the World Organisation for Animal Health (**OIE**), the World Health Organization (**WHO**) and the United Nations Environment Programme (**UNEP**) – a global initiative supported by the United Nations Children’s Fund (**UNICEF**) and the World Bank under the overarching goal of contributing to ‘One World, One Health’.

India efforts

- In keeping with the long-term objectives, **India established a National Standing Committee on Zoonoses** as far back as the 1980s.
- This year, **funds were sanctioned for setting up a ‘Centre for One Health’ at Nagpur.**
- Further, the **Department of Animal Husbandry and Dairying (DAHD)** has launched several schemes to mitigate the prevalence of animal diseases since 2015, with a **funding pattern along the lines of 60:40 (Centre: State); 90:10 for the Northeastern States, and 100% funding for Union Territories.**
- Hence, under the **National Animal Disease Control Programme**, ₹13,343 crore have been sanctioned for **Foot and Mouth disease and Brucellosis control.**
- WHO estimates that rabies (also a zoonotic disease) costs the global economy approximately \$6 billion annually.
- Considering that **97% of human rabies cases in India are attributed to dogs**, interventions for disease management in dogs are considered crucial.

National Action Plan for Eliminating Dog Mediated Rabies

- DAHD has partnered with the Ministry of Health and Family Welfare in the **National Action Plan for Eliminating Dog Mediated Rabies.**
- This initiative is geared towards **sustained mass dog vaccinations** and public education to render the country free of rabies.

Need for coordination

- Scientists have observed that there are more than 1.7 million viruses circulating in wildlife, and many of them are likely to be zoonotic, which implies that **unless there is timely detection, India risks facing many more pandemics in times to come.**

- To achieve targets under the ‘One Health’ vision, efforts are ongoing to address challenges pertaining to **veterinary manpower shortages**, the **lack of information sharing between human and animal health institutions**, and inadequate coordination on food safety at slaughter, distribution, and retail facilities.
- These issues can be remedied by **consolidating existing animal health and disease surveillance systems** – e.g., the Information Network for Animal Productivity and Health , and the National Animal Disease Reporting System – developing best-practice guidelines for informal market and slaughterhouse operation (e.g., **inspections, disease prevalence assessments**), and creating mechanisms to operationalise ‘One Health’ at every stage down to the village level.
- Now, as we battle yet another wave of a deadly zoonotic disease (COVID-19), awareness generation, and increased investments toward meeting ‘One Health’ targets is the need of the hour.

6. The nuclear challenge

- President Joe Biden’s call for “stern deterrence” in response to North Korea’s nuclear programme and Pyongyang’s angry reaction, accusing the Biden administration of being “hostile”, suggest that both countries are headed towards a diplomatic showdown.
- In his first congressional address last week, Mr. Biden said the **nuclear programmes of Iran and North Korea posed a “serious threat to America’s security and world security”** and promised to respond through “diplomacy and stern deterrence”.
- North Korea has remained an unresolved foreign policy puzzle for all post-War American Presidents.
- In recent times, U.S. Presidents have shown a willingness to diplomatically engage with Pyongyang.
- The **Clinton administration had signed a framework agreement with Pyongyang to halt its nuclear programme.**
- **Mr. Obama had initiated talks with North Korea in 2012, which collapsed after Pyongyang launched a satellite.** He then adopted a wait-and-watch approach, which came to be called “strategic patience”.
- **Mr. Trump** altered his predecessor’s North Korea policy by reaching out to the regime and **meeting its leader, Kim Jong-un**, thrice, but without a breakthrough.
- **In theory**, the Trump administration and North Korea had **agreed to a complete de-nuclearisation** of the Korean peninsula, but failed to agree on its formula.
- **After Mr. Biden** assumed office, **North Korea had conducted short-range missile tests**, which the U.S. saw as a provocation.
- The **U.S.’s key goal in northeastern Asia is the de- nuclearisation** of the Korean peninsula. And the **only practical way to achieve this is through diplomacy** as a military strike on North Korea, a nuclear power, is out of the question.
- The North, as **acknowledged by Mr. Kim recently**, is going through a tough economic crisis and is open to talks.
- **Mr. Biden should seize this opportunity and try to reach common ground** with Mr. Kim that addresses both North Korea’s economic worries and the U.S.’s nuclear concerns.

- That should be the focus of the Biden administration's new North Korean strategy.

7. A transient high

- India's GST regime could not have hoped for a better start to its fifth year. **Revenues from the tax hit an all-time high of ₹1,41,384 crore in April**, surpassing the previous month's record of about ₹1.24 lakh crore.
- After a disastrous period for the economy following last
- year's national lockdown, GST revenues hit ₹1.05 lakh crore in October and have shown a steady uptick since then, **in tandem with hopes of a sustained recovery.**
- The spectre of rising COVID-19 cases and the **fear of an impending lockdown could also have driven people to make advance purchases in anticipation.**
- Moreover, **firms in the process of closing annual accounts may have remitted higher GST based on audit advice**, while a **gradual tightening of the compliance regime**, and pro-active co-ordinated probes against taxpayers using fake bills to evade liabilities, have played no small part.

Concerns

- So far, going by the restrictions imposed in several States, **supply chain disruptions are not expected to be as challenging.**
- However, **weakening demand** will trigger a recalibration of production and investment plans, some of which has begun to kick in.
- Consider some indicators – **major two-wheeler producers saw sales plummet by around a third in April**, compared to March.
- **Plant shutdowns have gradually begun to reduce** inventory build-ups.
- In a report, 'Wall of Worry', Crisil has warned of several indicators sliding since mid-April, including **GST e-way bills which fell** by over 6%, two weeks in a row.
- **Manufacturing orders' growth hit an eight-month low** in April, as per IHS Markit.
- The **pandemic surge and desperate shortage of health infrastructure** have prompted industry leaders to pitch for a stringent lockdown.

Way forward

- Centre must urgently **convene the GST Council**. To add to what is already pending – rationalisation of GST rate slabs
- **Bringing fuel under GST**
- The Council must begin **gearing up early for shortfalls in GST compensation to States** that may arise this year.
- India can **ill-afford a repeat of the 2020 face-off between the Centre and States** that almost upended the very spirit of co-operative federalism the GST emerged from.

8. A COVID blot on India's foreign policy canvas

- The **second wave of COVID-19** and its agonising consequences, prompting the country to accept foreign aid after a gap of 17 years, is bound to have far-reaching strategic implications for India.
- As a direct consequence of the pandemic, New Delhi's claim to regional primacy and **leadership will take a major hit, its 'leading power' aspirations** will be dented, and accentuate its domestic political contestations.
- These in turn will impact the content and conduct of India's foreign policy in the years to come

Regional primacy

- India's **traditional primacy in the region was built on a mix of material aid, political influence and historical ties.**
- Its **political influence is steadily declining, its ability to materially help the neighbourhood will shrink** in the wake of COVID-19, and its historical ties alone may not do wonders to hold on to a region hungry for development assistance and political autonomy.
- As a result, **South Asian states are likely to board the Chinese bandwagon**, if they haven't already.
- COVID-19, therefore, comes at a time when India's standing in the region is already shrinking: the pandemic will unfortunately quicken the inevitable.

Indo-pacific region

- Being boxed in a China-dominated region will provide New Delhi with little space to pursue its regional, let alone global, geopolitical ambitions **except in the Indo-Pacific region.**
- While the **Indo-Pacific is geopolitically keen and ready to engage with India**, the pandemic could **adversely impact India's ability and desire to contribute** to the Indo-Pacific and the Quad.

Impact of COVID on foreign policy

- COVID-19, for instance, **will prevent any ambitious military spending or modernisation plans** and limit the country's attention on global diplomacy and regional geopolitics, be it Afghanistan or Sri Lanka or the Indo-Pacific.
- With **reduced military spending and lesser diplomatic attention to regional geopolitics**, New Delhi's ability to project power and contribute to the growth of the Quad will be uncertain.

Advantage to china

- The international community might also reach the conclusion that **post-COVID-19 India is too fragile to lead and be a 'leading power'.**
- New Delhi is pivotal to the Indo-Pacific project, but with India's **inability to take a lead role and China wooing smaller states** in the region away from the **Indo-Pacific with aid and threats, the Indo-Pacific balance of power could eventually turn in Beijing's favour.**

Domestic politics

- Domestic political contestations in the wake of the COVID-19 devastation in the country could also limit New Delhi's strategic ambitions. **General economic distress, a fall in foreign direct investment and industrial production, and a rise in unemployment have already lowered the mood in the country.**
- A **depressed economy, politically volatile domestic space** combined with a lack of elite consensus on strategic matters would **hardly inspire confidence in the international system about India**

India-China equations

- From **competing with China's vaccine diplomacy a few months ago, New Delhi today is forced to seek help from the international community**, if not China, to deal with the worsening COVID-19 situation at home.
- China has, compared to most other countries, **emerged stronger in the wake of the pandemic.**

Future

- The aftermath of the pandemic may kindle such a conciliatory tone in Indian foreign policy for other reasons as well.
- For one, COVID-19 has forced us to reimagine, to some extent at least, the **friend enemy equations** in global geopolitics.
- While the **United States seemed hesitant**, at least initially, to assist India even as the pandemic was wreaking havoc in the country
- **Moscow** was quick to come to New Delhi's aid.
- Even though New Delhi did not accept the aid offers from **Pakistan and China**, these offers sounded more than the usual diplomatic grandstanding that states engage in during natural calamities..
- The argument here **is not that these will lead to fundamental shifts in India's strategic partnerships**, but that they could **definitely moderate the sharp edges of India's pre-existing geopolitical articulations.**

Strategic autonomy

- Finally, the **pandemic** would, at the **very least indirectly, impact India's policy of maintaining strategic autonomy.**
- The **strategic consequences** of the pandemic are bound to **shape and structure New Delhi's foreign policy** choices as well as constrain India's foreign policy agency.
- It could, for instance, become **more susceptible to external criticism**
- A post-COVID-19 New Delhi **might find it harder to resist demands of a closer military relationship with the U.S.**

9. An issue of lives versus livelihoods

- Strict to moderate lockdowns are being imposed again, this time in April 2021, **terminating jobs in many an establishment employing large numbers of informal workers.**

- Of those employed in the informal category, large numbers include migrants who face, like they did in March-April of 2020, a bleak future, with **job losses, loss of rented accommodations, a lack of sustainable income and savings to ensure food, transportation back to villages or any other emergency including falling victim to COVID-19.**

Grim to grimmer

- Given their bitter experiences last year, **migrants have already begun their journeys back to villages**
- Less expectation of new job opportunities, especially under **shrinking National Rural Employment Guarantee Act allotments** by the government.
- The conditions faced by these workers under a 'curfew- to-lockdown' status include the **immediate termination of their livelihoods in terms of jobs, access to accommodation and near insolvency.**
- That the situations faced by migrants are **not a matter of concern in policy making** is quite apparent.
- There has been **no attempt to have an official estimate** of such flows, either incoming or reverse.
- **Nor has any thought, going by official announcements,** been made visible to redress the miseries that await the returning migrants.
- The recent official announcement of **free ration of 5 kg cereals to 80 crore families** is the only sop visible so far.

Questions for the state

- Questions abound. It may not be too far-fetched to ask **if this measure of using lockdowns and curfews to save lives also, simultaneously, take away the means of livelihood for the rootless and roofless migrants.**
- If so, **what are the measures the state has offered** even to redress to some degree of their sufferings?

Impact on urban centres

- The flow provided a reserve army of **cheap labour waiting to be hired at wages** which, often, could **dip lower than the statutory minimum**
- With the formal **organised industry** employing as many as **one half or more of employees with casual or informal status,** it proved rather opportune for enterprises in factories, construction sites and other labour-intensive activities to make use of these migrants in their **cost-cutting exercises.**
- On the whole, the **presence of the rural migrants benefited the urban economy** by providing **cheap labour** to manufacturing units and cheap services to households.

No labour safeguards

- The Contract Labour (Regulation and Abolition) Act 1970 conferred on casual labour a **legal status** by providing a **mechanism for registration of contractors engaging 20 or more workers.**
- While it was **never effective, the Occupational Safety, Health and Working Conditions Code, 2020** has replaced all such Acts.
- Seeking, rather ineffectively, to regulate the health and safety conditions of workers in establishments with 10 or more workers, the Code has replaced 13 prevailing labour laws.

Occupational Safety, Health and Working Conditions Code, 2020

- Replaces **13 labour laws** relating to safety, health and working conditions, including the Factories Act, 1948, the Mines Act, 1952, and the Contract Labour (Regulation and Abolition) Act, 1970.

Applicability

- Applicable to **establishments employing at least 10 workers**
- All mines and docks, establishment **carrying out hazardous** activities (May be notified by central government)
- Provides **special provisions for certain types of establishments** and classes of employees, such as factories and building and construction workers

Establishment: Defined as:

- Any place **with 10 or more workers** where any industry, trade, business, manufacturing, or occupation is undertaken; or
- A motor transport undertaking, newspaper establishment, audio-video production, building or other construction work, or plantation with 10 or more workers; or
- A **mine or port or vicinity of port** where dock work is carried out.

Factory

- Definition is **expanded to 20 workers for premises** where the work process uses power and **40 workers where the work process uses no power**

Advisory Bodies

- The central and state governments will set up **Occupational Safety and Health Advisory Boards** at the national and state level, respectively.
- These Boards **will advise the central and state governments** on the standards, rules, and regulations to be framed under the Code

Licensing Requirements

- **One registration, one licence and one tax return** instead of multiple registrations, licenses and returns as required in the existing 13 labour laws.

Formalisation of Employment

- Statutory provision to **issue appointment letter to every employee** of the establishment

Duties of employers

- Providing a **workplace that is free from hazards** that may cause injury or diseases
- Providing **free annual health examinations** to employees as prescribed
- In case of an **accident at the workplace** that leads to death or serious bodily injury of an **employee, the employer must inform the relevant authorities.**

Rights and duties of employees

- Taking care of their own health and safety
- Complying with the specified safety and health standards
- Reporting unsafe situations to the inspector.
- Every employee will have the right to obtain from the employer information related to safety and health standards.

Working Hours For Women

- Women, after their consent, will be permitted to work beyond 7 pm and before 6 am subject to the safety, holidays, working hours or any other condition as prescribed by the state or the central government.

Penalty

Death of an employee

- Punishable with imprisonment of up to two years, or a fine up to five lakh rupees, or both.
- The courts may direct that at least 50% of such fine be given as compensation to the heirs of the victim.
- If an employee violates provisions of the Code, s/he will be subject to a fine of up to Rs 10,000.

Leave

- No employee may work for more than six days a week.
- However, exceptions may be provided for motor transport workers.
- Workers must receive paid annual leave for at least one in 20 days of the period spent on duty.
- During medical leave, the worker must be paid half his daily wages.

Earlier Provisions	New provisions
Few Key Terminologies like "Employee", "Employer" and "Establishment" were defined inconsistently in various Acts and Rules	New definition of Employee introduced with a wide coverage New definition of Employer introduced covering Occupier of a factory "Establishment" is now defined to include factory, newspaper establishment and plantation in which more than ten workers are employed.
Registration was required separately under all the previous labour laws	One Electronic Registration for every Establishment covered under the Code

Earlier Provisions	New provisions
No Specific provision was there for Workers employed in Transport, Sales Promotion and Journalism	Special working hours and leave requirements specified in the code for Workers employed in Transport, Sales Promotion, and Journalism
The threshold for the Canteen facility was 250 workers / employees	Now threshold for Canteen facility reduced up to 100 number of workers / employees

Earlier Provisions	New provisions
The threshold for Appointment of Welfare Officer was 500 workers in a Factory	Now appointment of a Welfare Officer is mandatory for 250 workers in a Factory, mine, and Plantation.
No provision existed for mandatory welfare facilities to inter-state	Provision made for mandatory welfare facilities to inter-state migrant workers.
The threshold for the Crèche facility was 30 Female workers / employees	Now threshold limit for crèche facility increased up to 50 number of female workers / employees

10.Social murder and the missing state

- The scenes that are being witnessed in India now are apocalyptic in tone. When a **citizen attacks hospital personnel because a life was lost due to the absence of medical care**, or a citizen struggles to breathe with an oxygen cylinder on the pavement, it is a crisis at multiple levels

Appalling discourse

- The “collapse of the system” or the failure of the state, is the shocking discourse among the supporters of the government that it is not responsible for the present crisis, arguably, India’s gravest hour. This defence has consequences for India’s democracy.

Social Murder

- Engels had argued that the English ruling class and the state had created such horrendous working and living conditions for the workers, without the “necessaries of life”, that they suffer not only ill health but meet early deaths. Engels calls this social murder, the same as murder by an individual; the only difference is that this murder is “disguised”, for “no man sees the murderer” and the death appears to be a “natural one”.

- What we are seeing around, in **our inability to make the state accountable, is social murder.**
- The only difference between Engels' England in the 1840s, when it was the **working class which was devastated by pandemics**, and India now, is that the **pandemic in this wave is not just preying on the most vulnerable populations.** Therefore, it is also not invisible any longer.

The state's actions

- But in the first wave of the pandemic in India, the tragic plight of millions of **inter-State migrant labour walking thousands of kilometres**, remained invisible. That was a **classic case of social murder.**
- And it was **justified** then as well in narratives which argued that, after all, it was the **responsibility of the workers themselves for "voluntarily" undertaking such a journey.** Just as it is the responsibility of the people themselves for causing the second wave.
- When ordinary people, without access to expert advice, are asked to own up to their mistakes, powerful actors such as the **Election Commission of India** holding an eight-phase election in Bengal, the **Uttarakhand Chief Minister** justifying the Kumbh mela and the **Prime Minister** exulting about the size of an election rally crowd in West Bengal on a day when over 2,00,000 Indians were newly infected by the novel coronavirus, are all unassailable actions of the state.

A different patrimonialism

- In the last seven years, the Indian state has acquired distinct tendencies of what sociologist **Max Weber** has called **patrimonialism in which the ruler exercises a traditional form of authority**
- But **unlike in ideal typical patrimonialism, this highly personalised and centralised form of rule is not based on heredity, kinship ties or personal allegiances, rather on the ideology of religious majoritarianism as well as nationalism, and legitimised by election wins.**
- Government ask citizens to fend for themselves, whether it is by **procuring oxygen** cylinders or arranging ambulances. This has resulted in a **Social Darwinism** in which **only the most powerful** have some chance of survival.
- From the assertions of the Union Health Minister that there never was any shortage of oxygen, the **Uttar Pradesh government charging people with First Information Reports (FIRs) for requesting oxygen, to the Haryana Chief Minister's comment that the dead cannot return** and, therefore, it was pointless to discuss many unaccounted deaths, all depict a **state that has shed its professed benevolence during the novel coronavirus pandemic.**
- As scholars identify, one of the **fundamental problems in patrimonialism is ensuring accountability,** something that becomes stark during a pandemic when the patrimonial state goes missing.

Become citizens, not subjects

- While the Swedish Prime Minister was recently subject to questioning by a constitutional committee on COVID-19 handling, **the present Indian state has no means of ensuring a critical scrutiny of the chronology of government decisions** that led to the current crisis.
- For the moment, we will have to be content with scathing observations like those of the **Allahabad High Court** that deaths due to lack of oxygen are **no "less than a genocide"**.

- Engels had argued that the **English ruling class** “**class prejudice and preconceived opinions**” had **enveloped it in a “mad blindness**” about the social murder that was happening in its midst, which, in any case, did not affect it.
- India, **under the pandemic, is seeing a different kind of prejudice, preconceived opinions** and mad blindness in sanctioning social murder.
- **Unless people become citizens and not subjects** under a patrimonial rule, the calamitous clouds of the pandemic portend a **bleak future for Indian democracy as well.**