



# INTERVIEW PREPARATION

## CURRENT AFFAIRS

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# SC upholds repeal of J&K's special status

The court says President validly exercised power in removing special privileges under Article 370

It seeks restoration of Statehood to J&K 'at the earliest', and elections by Sept. 30, 2024

Decision to carve out the Union Territory of Ladakh is valid, the top court adds

**Krishnadas Rajagopal**  
NEW DELHI

**A** Constitution Bench of the Supreme Court on Monday unanimously upheld the power of the President to abrogate special status of Jammu and Kashmir under Article 370 of the Constitution, leading to the reorganisation of the full-fledged State to two Union Territories and the removal of its privileges.

The five-judge Bench headed by Chief Justice of India D.Y. Chandrachud confirmed that the President could "unilaterally issue a notification that Article 370 ceases to exist".

The court held that the President had the power to do so "if special circumstances warrant a special solution". "The court cannot sit in appeal over the decision of the President

## Key takeaways

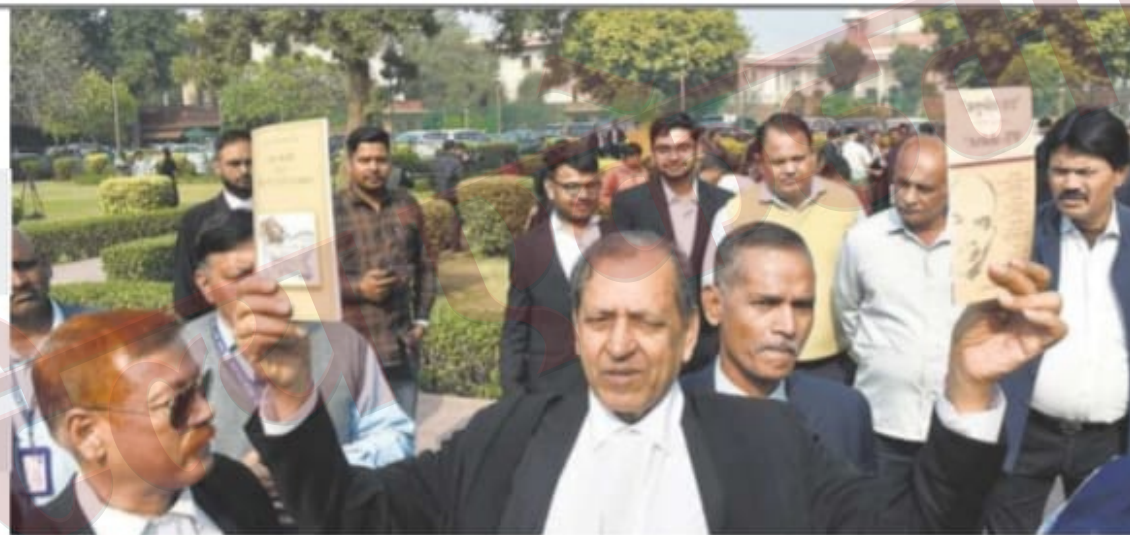
Here is what the Supreme Court said in its verdict on the abrogation of J&K's special status

- Jammu and Kashmir does not have any 'internal sovereignty' different from other States and its status under Article 370 is only a form of asymmetric federalism
- From its historical context, it is clear that Article 370 is only a temporary provision
- The President, in exercise of power under Article 370(3), can unilaterally issue a notification that Article 370 ceases to exist
- When the Constituent Assembly was dissolved, it did not affect the President's power to declare it inoperative

on whether the special circumstances which led to the arrangement under Article 370 have ceased to exist," the CJI reasoned.

The court said the President's decision in 2019 was

the culmination of a "gradual and collaborative exercise" spread over the past 70 years between the Centre and the State to integrate Jammu and Kashmir with the Union.



**Significant ruling:** Senior lawyers, who represented the respondents, react following the SC verdict on Monday. SHEBA KUMAR PUSHPAKAR

## Verdict is a declaration of hope, says PM

**NEW DELHI**

Prime Minister Narendra Modi on Monday termed the Supreme Court verdict upholding the Centre's decision on Article 370 "historic" and one that "in its profound wisdom, has fortified the very essence of unity that we, as Indians, hold dear and cherish above all else". Taking to X, Mr. Modi said: "It [the verdict] is a declaration of hope, progress and unity for our sisters and brothers in Jammu, Kashmir and Ladakh."

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**OMINOUS, ANTI-FEDERAL**  
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**PM'S TAKE**  
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## Struggle will continue: J&K parties

**Peerzada Ashiq**  
SRINAGAR

Several political parties in

Jammu and Kashmir on Monday expressed disappointment over the apex court's verdict upholding

the Centre's decision.

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# BJP springs a surprise, picks Mohan Yadav as new Madhya Pradesh CM

**Mehul Malpani**

BHOPAL

Springing a major surprise, the BJP on Monday selected Ujjain-Dakshin (South) MLA Mohan Yadav as its Legislature Party leader and the next Chief Minister of Madhya Pradesh.

Apart from Mr. Yadav, who hails from the Other Backward Classes (OBC), the new BJP government will have two Deputy Chief Ministers – Malhargarh MLA Jagdish Devda, a Dalit, and Rewa MLA Rajendra Shukla, a Brahmin.

The OBCs constitute about 52% of the State's population while there are nearly 17% people from the



**Jubilation erupts:** BJP MLA Mohan Yadav after being elected as the Chief Minister of Madhya Pradesh, in Bhopal, on Monday. PTI

Scheduled Castes.

Former Union Minister Narendra Singh Tomar has been chosen as the next Assembly Speaker.

Set to become the 19th Chief Minister of the State,

Mr. Yadav's name was proposed by outgoing Chief Minister Shivraj Singh Chouhan at the BJP Legislature Party meet in Bhopal and supported by party leaders, including Mr. To-

## Question rises over future of Shivraj Chouhan

**NEW DELHI**

Madhya Pradesh on Monday brought the curtains down on the Shivraj Singh Chouhan era in the State by appointing Mohan Yadav as the Chief Minister, but it gives rise to the question of "what next?" for Mr. Chouhan. » **Page 4**

mar, Kailash Vijayvargiya and Prahlad Singh Patel, Madhya Pradesh BJP president V.D. Sharma said.

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# Decrypting today's psephology and anti-incumbency

**I**sraeli writer Yuval Noah Harari had said that the algorithm is the most important word of the 21st century. But another word that is giving it a run for its money during the electoral season is 'anti-incumbency'. Psephologists are now fond of explaining (without understanding?) a lot of things that happen as a part of anti-incumbency. They almost speak of it the way cricket commentators speak of averages. Even in cricket, it often makes no sense to say that a team won at a venue for 'n' number of times, which often has no correlation or causation with the result in the next game. In cricket, this could add to the entertainment quotient, but to reduce elections to a law of averages is to completely miss the thrust that needs to be there in foregrounding the key issues that matter to people, and why they turn out to vote in such large numbers.

## A displacement of the focus

What such anodyne language of anti-incumbency does is to shift the attention from the issues that matter and reduces it to averages and the business of prediction (like Nostradamus). Even more dismaying is that such language tends to normalise discontent. For example, the Congress lost in the Rajasthan Assembly election because that has been the trend for the last 30 years, which displaces the question why are people perennially unhappy with their governments and what are the issues that have been going unheard for 30 years. Had the Congress won in Rajasthan, the debate would be about the Congress having beaten anti-incumbency, and in terms of how the trend was broken. Or, it could then be argued that there is a trend of pro-incumbency, as seen in Gujarat and Madhya Pradesh.

But the question is not about pro-incumbency in Madhya Pradesh but, instead, how a government does win a large number of seats with a not-so-good-looking governance track record. Why did issues of mis-governance not matter? Or, how were they made not to matter? This displacement of focus on social development contributes handsomely to 'electoral autocracy'.

The language of anti-incumbency is a technocratic one that works as a neo-liberal assemblage. It flattens out complex processes to feed the electronic media and digital images. The language of averages and quantifying electoral outcomes turns the electoral process into an algorithmic equation. Part of the problem is that policy preferences and differences between political parties have become so marginal to the process that quantification is the only method left



**Ajay Gudavarthy**

is Associate Professor, Centre for Political Studies, Jawaharlal Nehru University. His recent book is "Politics, Ethics and Emotions in 'New India'"

Election analysis is now entertainment feeding hyper-nationalism, in which critical debate and reflection are missing

to make sense of differences between the parties. The meaninglessness of 'choicelessness' for the electorate is converted into a meaningful-looking language of 'averages', 'patterns' and 'pro- and anti-incumbency'.

## The power of a certain party

Further, the corollary of such a language that empties out the process of issues is the emergence of the Bharatiya Janata Party (BJP) as an electoral machine. It is the sheer 'speed and scale' that brings forth the language of efficiency and last mile and minute electoral calculations that become the focus of analysis by psephologists. The BJP is today able to address issues through its sheer capacity to generate a great amount of last minute mobilisation. Earlier, we would argue that the electorate suffers from short-term memory that allows political parties to get away with murder. Now it is about last minute campaigning. This again makes 'organisation', 'money' and 'a high-decibel campaign' a part and parcel of a great strategy and electoral engineering. It again displaces the fact of why or how organisational power allows the BJP to subvert social power dynamics. Of how a great degree of social fragmentation is forged to divide social groups. Of what it does to weaken the ability to raise discontent. At one level, the process is about normalising discontent. And at another, about criminalising dissent and the intermediary space which is filled by organisational heft and meticulous planning. All of these processes are later analysed as either pro or anti-incumbency!

Finally, electoral mobilisation has normalised elections into becoming a spectacle. The spectre of drama is a part of electoral communication, but the impact on social ethics and the fabric of collective trust becomes sidelined. It has become a new normal for election analysts and psephologists to gloat over and expect the Prime Minister, Narendra Modi, to perform some last minute magic that will tilt votes in the BJP's favour even if the BJP has performed miserably in terms of governance. In Karnataka, for example, the BJP faced a great degree of discontent because of massive corruption and other related issues of social apathy. But Mr. Modi, in last minute attempts, tried to convert it into a debate on Bajrang Bali, misinterpreting it as Bajrang Dal, or the other way round. Mr. Modi further claimed that the Congress was interested in seceding Karnataka from India. In Gujarat, in earlier elections, it was about Prime Minister Manmohan Singh and a former Vice-President taking '*supari*'

from across the border against Mr. Modi. What does such baseless discourse do to trust that is necessary for any functional democracy in the long run? Deliberation is being gradually displaced by 'conspiracy', and social issues get converted into a discourse on securitisation.

All these electoral battles become converted into a war zone and a zero-sum game. The last minute pressure – like the last over in a cricket match – brings tension and drama, and is like the climax of a crime thriller. It shifts from deliberating on issues to, instead, what is most entertaining. And that in turn becomes, or is attempted to be pushed as, the criteria of electoral choice. When Mr. Modi succeeds it is often typified as 'Modi Magic' and attributed to Mr. Modi's great oratory skills. But what is happening is a stuffing down the throats of people of high-decibel and extremely dystopian images meant to create cognitive and emotional dissonance. Elections are moving away from issues to that of speed, scale and organisational efficiency replacing or off-setting electoral choices made on the basis of issues.

Psephology and electoral analysis are already a willing part of this shift. They are more techniques and technologies of power dynamics rather than analysis meant for reflection and deliberation. What such technocratic psephology does is to easily convert it and make it a part of the campaign of the ruling dispensation. Why so many exit polls go so dramatically wrong is never a point of discussion. But each time there are elections, we are back to this language of anti-incumbency and averages, where critical debate and reflection are swept under the carpet.

## Disappearance of issues

Over a period, there has been near-complete invisibilisation of a lot of issues that were considered a part of public discourse in India. What are the levels of poverty in India? And, Below Poverty Line (BPL)? What percentage of the population is BPL, which was part of public debate not so long ago, and which has been replaced now by the language of GDP growth rates – again the language of numbers and averages? What are the working conditions of migrants in the informal sector that had become invisible till migrants began to walk back home during the COVID-19 pandemic lockdown? It is a different matter that death itself became invisible during the pandemic. It is this technocratic invisibilisation that has become the root and source of hyper-nationalism and the freshly minted fantasy of becoming a *vishwaguru*.



# What are FSB's concerns about crypto asset intermediaries?

What are multi-function crypto-asset intermediaries? What does the report say about risk management?

Saptaparno Ghosh

## The story so far:

**P**ublished last month, the international Financial Stability Board (FSB)'s latest report on crypto-asset intermediaries sought measures to enhance cross-border cooperation and information sharing among local authorities. This is to effectively regulate and address gaps in multi-function crypto-asset intermediaries (MCIs) operating globally. Specifically referring to the FTX collapse in November 2022, it highlights potential risks associated with MCIs that combine different activities within the platform.

## How does the report define MCIs?

The report defines MCIs as individual firms, or groups of affiliated firms that offer a range of crypto-based services, products and functions which primarily

revolve around operating of the trading platform. Examples include Binance, Bitfinex and Coinbase. In the traditional financial landscape, the functions are provided by separate entities, instead of the same entity. This prevents conflict of interest and promotes market integrity, investor protection and financial stability.

The primary source of revenue for these platforms are the transaction fees generated from trading-related activities, the traded security here being self-issued crypto assets. Trades from alternative platforms may also indirectly drive additional demand for other services offered by the platform. These may include prepaid debit cards and lending, among other services. This shows that the aspirations of MCIs extend beyond just trading to becoming a "one-stop shop" for crypto-based services.

FSB's report observes that the magnitude of these revenue sources is

unclear because of the limited publicly disclosed information.

## What about transparency?

The report observes that most MCIs are not transparent about their corporate structure. Further, they are privately held. Even if they disclose information, the report observes, it is typically for a small part of their business, specific to a jurisdiction. Much of the available information has surfaced through press coverage, court filings and regulatory actions and not public disclosures. The watchdog observed that MCIs failed to create a "meaningful separation" between potentially conflicting business lines, and provide clear account of transactions and activities or audit practices, among other things. The report suggests this could be intentional, to limit understanding of their vulnerabilities, economic models and activities – thus, to

also evade regulatory oversight. Overall, this translates to lowered or non-existent oversight parameters for management of risk and governance frameworks.

Poor risk management, the report says, "may make it easier for insiders to engage in misconduct that magnifies MCI vulnerabilities." The lack of transparency could also mean that risks from lack of effective governance or lack of profitability of the business model would be hidden until the negative shocks fully materialise. In fact, in June this year, the U.S. SEC alleged that Binance misled investors about their risk controls and inflated trading volumes.

## What about spillovers?

The report observes that, based on available evidence, the threat to global financial stability and to the real economy from the failure of an MCI is presently "limited." However, recent experience about failure or closure of "crypto-asset-friendly" banks reveal the prevalence of concentrated deposit exposures to firms whose business models rely in some form on crypto assets. In March this year, Silvergate Bank had to wind down its operations and voluntarily liquidate. This was after the FTX collapse and an ensuing loss of confidence (in crypto-assets) that resulted in a 'run-off' (investors moving away from riskier to safer assets).



# Surge in illegal Indian migrants crossing into the U.S. from Canada

The number of accompanied and unaccompanied children who illegally cross the U.S. border from India has gone up too

## DATA POINT

Jasmin Nihalani

A question that was raised in the Rajya Sabha a few days ago has put the spotlight on the issue of Indians illegally entering the United States. In his reply to a question, the Minister of State for External Affairs, V. Muralidharan, quoted data from the U.S. Customs and Border Protection and said that U.S. officials encountered close to 1 lakh illegal Indian migrants just this year. This trend of thousands of Indians trying to enter the U.S. illegally is new; it has been seen in the last four years.

**Chart 1** shows the number of Indians attempting to enter the U.S. illegally. A decade ago, a little over 1,500 Indian illegal migrants were stopped by the U.S. border authorities. The number increased marginally in the following years but remained below the 10,000 mark till 2019. But since 2020, there has been a dramatic rise in the number of Indians trying to cross the border illegally with the figure touching 96,917 in 2023.

This surge in the number of illegal migrants gains prominence as the U.S. presidential elections are scheduled next year and illegal border crossings is one of the top issues for U.S. voters. Donald Trump, who is among the leading Republican presidential candidates, has blamed U.S. President Joe Biden for reversing many of his immigration-related policies.

In general, most illegal border crossings are reported from the southwest, i.e., the U.S.-Mexico border. In 2023, over 77% of all illegal migrants entering the U.S. were apprehended from the southwest border with the northern border – along Canada – accounting for roughly 6%. This was true of illegal Indian migrants too, but lately, an increasing number of them are choosing to enter the U.S. through the northern border. The number

of undocumented Indians entering through the northern border increased from less than 100 in 2014 to over 30,000 in 2023, almost matching the number of those who tried to enter from the southwest border. **Chart 2** shows the border-wise number of illegal migrants – from India and overall – who are attempting to enter the U.S.

While the number of Indians trying to cross illegally has increased, their share in the total number of such migrants is still nominal. **Chart 3** shows nationality-wise the number of illegal migrants trying to enter the U.S. The larger the circle, the more the number of illegal migrants. In absolute terms, the majority of illegal migrants hail from Mexico. However, the country's share in total illegal migrants has seen a drop in recent years. India, despite the surge, accounts for only 3% of all illegal migrants trying to cross the U.S. border.

The entry of minors and their separation from families has been another thorny issue in the U.S. in recent times. A Trump-era policy had led to the separation of over 5,000 children from their parents who tried to migrate illegally. This is a policy which Mr. Trump still claims deterred many from illegally entering the U.S. While the majority of Indians who were apprehended by the border force are single adults, there has been a spike in the number of minors trying to cross the border. Accompanied Indian minors increased from just nine in 2020 to 261 in 2023. Unaccompanied children or single minors from India who attempted to illegally cross also increased from 219 in 2020 to 730 in 2023. **Table 4** shows a breakdown of the number of illegal Indian immigrants to the U.S. by demography.

Last Friday, a federal judge had prohibited separation of minors from families for eight more years saying it was "simply cruel".

With inputs from AP

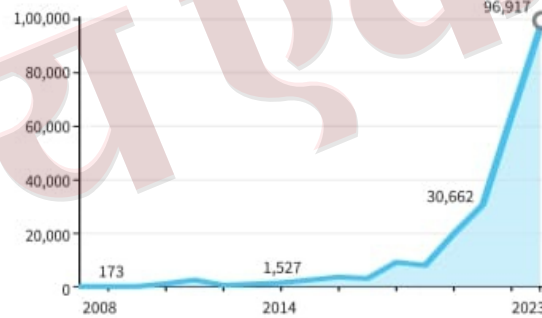
## In search of the American dream

The data for the charts and the table were sourced from the United States Customs and Border Protection

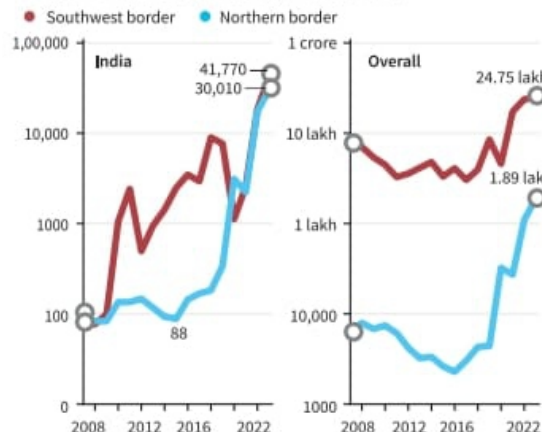


**Illegal crossings:** Migrants from India walk into the United States after crossing the U.S.-Mexico border in Arizona. AFP

**Chart 1:** The chart shows the number of Indians attempting to enter the United States illegally over the years



**Chart 2:** The chart shows the border-wise number of illegal migrants – from India and overall – attempting to enter the U.S.



**Chart 3:** The chart shows nationality-wise number of illegal migrants trying to enter the U.S. The larger the circle, the more the number of migrants



**Table 4:** The table shows a breakdown of the number of illegal Indian immigrants to the U.S. by demography

Year	Accompanied minors	Individuals in a family unit	Single adults	Unaccompanied children / single minors	Grand Total
2020	9	759	18,896	219	19,883
2021	40	1,225	29,160	237	30,662
2022	202	6,577	56,739	409	63,927
2023	261	12,409	83,517	730	96,917

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# Decoding Putin's dramatic visit to the Gulf

**R**ussian President Vladimir Putin, largely confined to the Kremlin due to western restrictions, on December 6 dramatically set out on whirlwind tours to Abu Dhabi and Riyadh in one day. The next day, he received Iranian President Ebrahim Raisi in Moscow. And on December 8, Mr. Putin announced that he would be standing for elections in 2024, affirming that he would be leading Russia at least up to 2030 and possibly beyond.

## Talks in the Gulf

Mr. Putin's visit to the Gulf was marked by considerable pomp on the part of the hosts and affirmations of mutual goodwill and camaraderie. The UAE ruler, Sheikh Mohamed bin Zayed, spoke of the "importance of strengthening dialogue and cooperation", while Mr. Putin told his Saudi host that "nothing can prevent the development of our friendly relations".

A Russian spokesman described the talks in the Gulf capitals as "a concentrated shot". The agenda was self-evident: continued cooperation among "OPEC +" members on oil policy; exchange of views on the Ukraine and Gaza conflicts; increasing humanitarian assistance to the Palestinians trapped in Gaza; and enhancing bilateral-political-economic ties. Cooperation among "OPEC +" countries led by Saudi Arabia and Russia, for instance, has ensured that the agreed production cuts are adhered to and oil prices, much to the U.S.'s chagrin, remain at levels that serve the producers' interests.

Despite their long-standing alliance with the U.S., both the UAE and Saudi Arabia have in recent years been asserting "strategic autonomy" and have prioritised expanding ties with China and Russia. The UAE is now Russia's most important trade partner in the Gulf. Neither the UAE nor Saudi Arabia have supported the U.S.-sponsored sanctions on Russia or criticised



**Talmiz Ahmad**

is a former diplomat

Putin's recent interactions with Gulf leaders have brought Russia into the mainstream of West Asian affairs and affirmed that the Sino-Russian alliance will challenge U.S. hegemony

the latter for the Ukraine war.

In fact, thousands of Russians have set up alternative homes, businesses, and investments in the UAE. Cooperation is thriving between the two countries in the technology sector. As a result, the West has placed the UAE under scrutiny to ensure that restrictions on export of hi-tech products to Russia are complied with. Russia has also conveyed it is standing by to support Saudi Arabia's civilian nuclear programme at the opportune moment.

Iran and Russia, as targets of increasingly onerous western sanctions, challenge the West's global strategic leadership and seek the realisation of a multipolar world order. Flowing from this, they have built substantial bilateral relations in the energy and military areas: in March this year, the Russian, Chinese and Iranian navies carried out joint exercises in the Gulf of Oman. In November, it was reported that Iran would get Sukhoi Su-35 aircraft from Russia, as also training aircraft and attack helicopters. Iran has boosted Russia's military prowess in Ukraine with supplies of drones, ammunition and body armour.

During Mr. Raisi's visit to Moscow, the two sides had "extremely intensive discussions" covering the Gaza war, Ukraine, and oil prices. Mr. Putin and Mr. Raisi called for an immediate end to Israel's "genocide and crimes against humanity" which, they said, was backed by the U.S. and western powers.

## Putin's agenda

Was there something more to Mr. Putin's recent engagements with the major Gulf states? The Reuters correspondents in Moscow have noted that "mystery still surrounds the Kremlin chief's hastily arranged trip" to Abu Dhabi and Riyadh, and wondered "what issue was so important for Putin to make a rare overseas trip". The most obvious response is that the trip itself was a message - Mr. Putin was signalling that Russia was not isolated and that it

had some close friends, such as the UAE and Saudi Arabia, that, till recently, had been the U.S.'s closest allies in the region.

But beyond this, Mr. Putin would have had a more ambitious agenda. First, on the basis of Russia's close ties with Iran, he would have told the UAE and the Kingdom that the Gaza war will not spread across the region, conveying the assurance that Iran will restrain the Hezbollah and the Houthis in Yemen in the interests of regional stability.

Second, Mr. Putin would have sought a deeper strategic and political alignment between the Gulf Cooperation Council states and Iran, presenting Russia and China as guarantors of regional peace. In this context, Mr. Putin would have recognised China as the lynchpin in regional politics and, given Russia and China's close alignment on global security issues, projected Russia as complementing China's diplomatic role in the region.

Third, Mr. Putin would have sought the support of his Gulf interlocutors to the consolidation of this regional alignment so that, in the post-Gaza war scenario, they would act unitedly with Russia and China in managing regional political and diplomatic challenges, while excluding the U.S. from this arrangement. This should resonate well with most regional states as, with its unconditional support for Israel, the U.S. has excluded itself as a credible player in West Asia.

Above all, Mr. Putin would have assured his Gulf interlocutors that there would be continuity in Russia's regional approach, by giving them advance notice that he will be seeking re-election in March 2024 and lead Russia at least till the end of this decade.

Mr. Putin's recent interactions with Gulf leaders have brought Russia into the mainstream of West Asian affairs and affirmed that the Sino-Russian alliance will challenge U.S. hegemony and seek to redefine the regional political order.



## THE DAILY QUIZ

Please send in your answers to  
[dailyquiz@thehindu.co.in](mailto:dailyquiz@thehindu.co.in)

# Rajiniknath turns 73 on December 12. A quiz on the icon simply called 'Superstar'

**V. V. Ramanan**

### QUESTION 1

Rajinikanth is the only Indian actor to have featured in the Central Board of Secondary Education's school syllabus. What was the lesson called?

### QUESTION 2

Several Amitabh Bachchan blockbusters have been remade in Tamil with the Superstar in the lead. Which Amitabh flicks were remade as *Thee* and *Dharmathin Thalaivan*?

### QUESTION 3

Rajinikanth's brother-in-law's son is a famous music director. Name this young composer.

### QUESTION 4

In *Petta*, Rajini's prison shirt number was 165. Why?

### QUESTION 5

Name the 1993 film for which Rajinikanth wrote the script, that did not do well.

### QUESTION 6

In his 100th film, directed by S.P. Muthuraman, Rajini played the role of which Hindu saint?



### Visual question:

This is the Japanese poster for which Rajini film.

**Questions and Answers to the previous day's daily quiz:** 1. Name this Indian cricketer, who represented India in Test cricket after being born in Afghanistan. **Ans: Salim Durani**  
2. This cricketer was the first to take 10 wickets in first class cricket. **Ans: Subhash Gupte**  
3. This person achieved a first for his sport as an 18 year old Indian in 1988. **Ans: Viswanathan Anand**  
4. This social reformer, freedom fighter and journalist was popularly known as "Mahakavi". **Ans: Subramania Bharathi**  
5. The only Indian to have won the Nishan-e-Imtiaz, Pakistan's highest civilian honour. **Ans: Dilip Kumar**  
Visual: Name this person. **Ans: Pranab Mukherjee**  
**Early Birds:** C. Saravanan| Prashant Kalbende| Akshay Kumar Khanna| Jyotsna Kaushik| M. Suresh Kumar



# President's actions during State Emergency open to scrutiny: SC

**Krishnadas Rajagopal**

NEW DELHI

The Supreme Court on Monday held that the declaration of State Emergency under Article 356 and the subsequent actions of the President should have a “reasonable nexus”.

If so, the petitioners could question whether the object of the President, while declaring a State Emergency on the ground of failure of constitutional machinery in Jammu and Kashmir in December 2018, was to abrogate the special status of Jammu and Kashmir and bifurcate the full-fledged State to two Union Territories.

The crisis began in Jammu and Kashmir when Chief Minister Mehbooba Mufti resigned on June 19, 2018, after the BJP withdrew support. The Governor, the very next day, issued a Proclamation under Section 92 of the Constitution of Jammu and Kash-

mir, which entrusted him with the powers and functions of the State government “in the event of a failure of the constitutional machinery in the State”.

On November 21, 2018, the Governor dissolved the Legislative Assembly. Barely a month later, the President invoked Article 356 based on a report from the Governor. The President's rule was extended on July 3, 2019.

## **New provision**

On August 5, 2019, the President issued the Constitution (Application to Jammu and Kashmir) Order which applied all the provisions of the Indian Constitution to Jammu and Kashmir and also inserted a new provision, Article 367(4), in the Constitution to replace the expression ‘Constituent Assembly of the State’ in the proviso to Article 370 (3) with ‘Legislative Assembly of the State’. This was done to cross the hur-



dle of getting a prior recommendation from a non-existent J&K Constituent Assembly to abrogate Article 370.

The very same day saw Parliament abrogate provisions of Article 370 and pass the Bill to reorganise the State of Jammu and Kashmir.

The question whether the object of the proclamation of Article 356 in December 2018 has a “reasonable nexus” with the subsequent actions of the President and Parliament in August 2019 lies open. Article 356 was revoked in J&K only in October 2019. The court said actions of the President during the subsistence of a State

Emergency were open to judicial scrutiny.

“The court while judicially reviewing the exercise of power can determine if the exercise of the constitutional power of the Legislature of the State by Parliament has a reasonable nexus with the object sought to be achieved by the Proclamation,” Chief Justice Chandrachud observed on Monday.

The Chief Justice, in his lead opinion, said the onus is on the person challenging the actions of the President during the Emergency to *prima facie* establish they were a “mala fide or extraneous exercise of power”. The Bench laid down that, if a *prima facie* case is made out, the onus would shift from the person complaining to the Centre to justify that the exercise of power had a reasonable nexus with the object of the proclamation of President's Rule under Article 356.



# Harvest the Odisha story to ensure food security

As the world's leaders are in a huddle for COP28, or the 2023 United Nations Climate Change Conference (November 30 to December 12, 2023), in Dubai, the United Arab Emirates, the worsening impact of the climate crisis paints a grim picture for the planet, peace and prosperity.

Disasters are projected to increase to 560 per year, that is 1.5 per day; hunger and malnutrition are expected to grow by 20% if the climate change impact goes unchecked, and food productivity is expected to decline by 21% due to global warming.

As the world witnesses a worsening global food crisis precipitated by the mounting climate crisis, spiralling conflicts and distressed livelihoods, Odisha's transformational journey is increasingly being cited as a model and a source of ideas for creating food security that is built around equity and sustainability.

Odisha's story has three specific themes in the current scenario: how the State strengthened food security by transforming agriculture through a community-driven approach and built resilience to climate impact.

## Agricultural transformation

In the past two decades, Odisha has moved from importing rice from other States and making ends meet in the pre-2000s to, in 2022, producing 13.606 million tonnes of food grains, its highest production on record.

There are two notable aspects: a majority of farmers are small/marginal, and productivity has increased despite stable crop area. The average rice yield, which is Odisha's main crop, has tripled in two decades. In 2000-01, the average yield was 10.41 quintals per hectare, but by 2020-21, it had increased to 27.30 quintals per hectare.

Kalahandi district was known as the "land of hunger," but has now been transformed into Odisha's rice bowl. Odisha Chief Minister Naveen Patnaik shared this at the United Nations World Food Programme headquarters, where he addressed Odisha's commitment towards



**Anu Garg**

IAS, is Development Commissioner and Additional Chief Secretary, Government of Odisha



**Elisabeth Faure**

is Representative and Country Director, United Nations (UN) World Food Programme (WFP), and a part of Team UN in India

With climate change threatening global food productivity, Odisha's efforts in climate-proofing its agricultural system have resulted in a unique development model

achieving the 'Zero Hunger' goal of Sustainable Development Goal (SDG) 2.

The focus is on small and marginal farmers and increasing their income. This has directly contributed to strengthening their food security and creating resilient livelihoods.

Implementing flagship schemes such as Krushak Assistance for Livelihood and Income Augmentation (KALIA) and disseminating scientific crop management practices through conventional and digital extension have increased non-paddy crop cultivation, while paddy cultivation has decreased. Schemes such as the Odisha Millet Mission have also helped diversify crops and promote climate resilience.

## Resilience and sustainability

Due to its geographical location and physical conditions, Odisha is particularly vulnerable to the effects of climate change. This phenomenon can disrupt current growth strategies and exacerbate poverty, as it may lead to a loss of life, livelihoods, assets, and infrastructure. Odisha has proactively developed a comprehensive Climate Change Action Plan to address these concerns.

This plan covers various sectors, including agriculture, coastal zone protection, energy, fisheries and animal resources, forests, health, industries, mining, transport, and urban and water resources. It was formulated by a team of experts from multiple departments and incorporates inputs from civil society. Various departments and agencies are responsible for implementing the activities identified in the plan, which are being monitored by a committee headed by the Chief Secretary.

The approach towards climate resilience is being developed from the bottom up. The Crop Weather Watch Group conducts weekly meetings, sees field visits by officers, and has video conferences to monitor the crop programme. This helps the authorities to take necessary measures during adverse weather conditions such as cyclones, floods, and droughts, which are frequent in the State.

Crop planning is done at the district level by

officials of allied departments, considering the agro-climatic zone. Farmers are adopting climate-resilient cultivation practices, that include integrated farming, zero-input-based natural farming, non-paddy crops, better water management, water-saving devices, e-pest surveillance, and large-scale farm mechanisation with women-friendly drudgery-reducing farm implements. Training farmers in crop-specific techniques, including integrated nutrient and pest management, has boosted food grains production.

## Social protection

The consistent improvement of the agricultural sector has made Odisha a surplus State for paddy production. It is the fourth most significant contributor to the paddy pool of the Food Corporation of India. According to the available statistics for 2020-21, Odisha produces 9% of the total rice in India and accounts for 4.22% of the total food-grain production of the country.

The partnership between the United Nations World Food Programme and the Government of Odisha has seen innovation for pilots on improving food and nutrition security schemes, such as the application of biometric technology in the Targeted Public Distribution System in remote Rayagada district back in 2007, or rice fortification in Gajapati district, to name a few. In the State Ranking Index for the National Food Security Act by the Department of Food and Public Distribution, Government of India, for 2022, Odisha emerged as the top-ranked State in the entire country. The WFP collaborates with the Government of Odisha on its food security, livelihood and climate resilience initiatives.

Odisha's transformative journey, from food grains scarcity to the generation of surplus, sustained efforts in climate-proofing its agricultural system, crop diversification, protection of the interest of the smallholders, and food and nutrition security for the vulnerable presents a unique development model for other States in the context of the challenges of global climate change.



# Civilians caught in crossfire as battle rages in Gaza's cities

Fighting is underway between Israel and Hamas extremists in Khan Younis and Gaza City; with very little aid allowed into Gaza, Palestinians face severe shortages of food, water and other goods

**Associated Press**

RAFAH

**I**sraeli forces battled Palestinian militants in Gaza's two largest cities on Monday, with civilians still trapped in the fighting even after hundreds of thousands have fled to other parts of the besieged territory.

Israel has pledged to keep fighting until it removes Hamas from power, dismantles its military capabilities and returns all of the hostages taken by militants during Hamas' October 7 surprise attack into Israel that ignited the war.

Residents said there was heavy fighting in and



**Constant vigil:** Israeli Army soldiers keeping position on a hill overlooking northern Gaza on Monday. AFP

around the southern city of Khan Younis, where Israeli ground forces opened a new line of attack last week, and battles were still underway in parts of Gaza

City and the urban Jabaliya refugee camp in northern Gaza, where large areas have been reduced to rubble.

Hamas is believed to

have suffered heavy losses, but on Monday it fired a barrage of rockets that set off sirens in Tel Aviv.

With very little aid allowed into Gaza, Palestinians face severe shortages of food, water and other basic goods. Some openly worry that Palestinians will be forced out of the territory altogether in a repeat of the mass exodus from what is now Israel during the 1948 war surrounding its creation.

The Palestinian death toll in Gaza has surpassed 17,900, the majority women and children, according to the Health Ministry in the Hamas-controlled territory.



# 'SC verdict has strengthened the spirit of Ek Bharat, Shreshtha Bharat'

On December 11, the honourable Supreme Court of India delivered a historic judgment on the abrogation of Articles 370 and 35(A). Through its judgment, the court has upheld the sovereignty and integrity of India, something that is cherished by every Indian. The court rightly observed that the decision taken on August 5, 2019 was done with the purpose of enhancing constitutional integration and not disintegration. The court has also recognised the fact that Article 370 was not permanent in nature.

Jammu, Kashmir, and Ladakh's breathtaking landscapes, serene valleys, and majestic mountains have captivated the hearts of poets, artists, and adventurers for generations. It is a place where the sublime meets the extraordinary, where the Himalayas reach for the sky, and where the pristine waters of its lakes and rivers mirror the heavens. But, for the past seven decades, these places have witnessed the worst form of violence and instability, something which the wonderful people never deserved.

## Confused society

Unfortunately, due to centuries of colonisation, most notably economic and mental subjugation, we became a confused society of sorts. Rather than taking a clear position on very basic things, we allowed duality, leading to confusion. Sadly, Jammu and Kashmir became a big victim of such a mindset. At the time of Independence, we had a choice of making a fresh start for national integration. Instead, we decided to continue with the confused-society approach even if it meant ignoring the long-term national interests.

I have had the opportunity of being connected with the Jammu and Kashmir *Andolan* from a very early part of my life. I belong to an ideological framework where Jammu and Kashmir was not merely a political issue. But, it was about addressing the aspirations of society. Dr. Syama Prasad Mookerjee held an important portfolio in the



**Narendra Modi**

Prime Minister  
of India

Nehru Cabinet and could have remained in government for a long time. Yet, he quit the Cabinet over the Kashmir issue and preferred the tough road ahead, even if it meant paying with his life. His efforts and sacrifice led to crores of Indians becoming emotionally attached with the Kashmir issue. Years later, Atalji, at a public meeting in Srinagar, gave the powerful message of *Insaniyat*, *Jamhooriyat*, and *Kashmiriyat*, which has always been a source of great inspiration.

It was always my firm belief that what had happened in Jammu and Kashmir was a great betrayal – to our nation and to the people living there. It was also my strong desire to do whatever I can to remove this blot, this injustice done to the people. I have always wanted to work to alleviate the suffering of the people of Jammu and Kashmir.

In very basic words, Articles 370 and 35(A) were like major obstacles. It seemed like an unbreakable wall and the sufferers were the poor and downtrodden. Articles 370 and 35(A) ensured that the people of Jammu and Kashmir never got the rights and development that the rest of their fellow Indians got. Due to these Articles, a distance was created between people belonging to the same nation. Due to this distance, many people from our nation who wanted to work to solve the problems of Jammu and Kashmir were unable to do so even if they clearly felt the pain of the people there.

As a *karyakarta* who has seen the issue closely over the past several decades, I had a nuanced understanding of the specifics and the complexities of the issue. Yet, I was crystal clear about one thing – that the people of Jammu and Kashmir want development and they want to contribute to the development of India based on their strengths and skills. They also want a better quality of life for their children, a life free from violence and uncertainty.

Thus, while serving the people of Jammu and Kashmir, we gave primacy to three pillars – understanding of the citizens' concerns, building trust

through supportive actions, and prioritising development, development, and more development.

In 2014, just after we assumed office, deadly floods struck Jammu and Kashmir, with a lot of damage in the Kashmir Valley. In September 2014, I went to Srinagar to assess the situation and also announced ₹1,000 crore as a special assistance for rehabilitation, signalling our government's commitment to supporting the people during crises. I had the opportunity to meet people from different walks of life, and there was one common thread in these interactions – the people not only wanted development but they also wanted freedom from the rampant corruption prevailing for decades. The same year, I decided not to mark Deepavali in remembrance of those we lost in Jammu and Kashmir. I also decided to be in Jammu and Kashmir on Deepavali day.

In order to further strengthen Jammu and Kashmir's development journey, we decided that our government Ministers would frequently go there and interact with people directly. These frequent visits also played a crucial role in building goodwill in Jammu and Kashmir. From May 2014 to March 2019, over 150 ministerial visits took place. This is a record in itself. The special package of 2015 was a significant step in addressing the developmental needs of Jammu and Kashmir. It contained initiatives for infrastructure development, job creation, tourism promotion, and support to the handicraft industry.

We harnessed the power of sports in Jammu and Kashmir, recognising its potential to ignite the dreams of the youth. Through sporting initiatives, we witnessed the transformational impact of athletic pursuits on their aspirations and futures. Sporting venues were upgraded, training programmes were organised, and coaches were made available. One of the most unique things was to encourage the setting up of local football clubs. The results were outstanding. The name of the talented footballer Afshan Ashiq comes to my

mind. In December 2014, she was part of a stone-pelting group in Srinagar but with the right encouragement she turned to football. She was sent for training and excelled in the game. I recall interacting with her at one of the Fit India Dialogues, where I said it's time to move over "Bend it like Beckham" because it is now "Ace it like Afshan". Other youngsters began to shine in kickboxing, karate, and more.

## Panchayat polls

The panchayat polls were also a watershed moment in the region's quest for all-round development. Once again, we were faced with a choice of either remaining in power or standing by our principles – the choice was never tough and we let go of a government but preferred that the ideals that we stand for, the aspirations of the people of Jammu and Kashmir are given top priority. The success of panchayat polls indicated the democratic nature of the people of Jammu and Kashmir. My mind went back to an interaction I had with *pradhans* from the villages. Among other issues, I made a request to them – that at no point must schools be burnt and that must be ensured. I was delighted to see that this was adhered to. After all, if schools are burnt, the biggest sufferers are the small children.

The historic day of August 5 is etched in the hearts and minds of every Indian. Our Parliament passed the historic decision to abrogate Article 370. Since then, much has changed in Jammu, Kashmir, and Ladakh. The judicial court verdict came in December 2023 but seeing the wave of development across Jammu, Kashmir, and Ladakh, the people's court has given a resounding thumbs up to Parliament's decision of abolishing Articles 370 and 35(A) for four years now.

At a political level, the past four years have been marked with a renewed faith in grassroots democracy. The women, tribal people, SCs, STs, and the marginalised sections of society were not getting their due. At the same time, the aspirations of Ladakh were totally ignored. August 5, 2019 changed all

that. All Central laws now apply without fear or favour. Representation has also got more widespread – a three-tier Panchayati Raj system is in place, BDC elections have been held, and refugee communities who were all but forgotten have begun to enjoy the fruits of development.

Key Central government schemes have attained saturation levels, thus covering all sections of society. These include the Saubhagya and Ujjwala schemes.

Strides have been made in housing, tap water connection, and financial inclusion. Healthcare, otherwise a major challenge for the people, has witnessed upgradation of infrastructure. All the villages achieved ODF-plus status. Government vacancies, which were otherwise a den of corruption and favouritism, have been filled in a transparent and process-driven manner. Other indicators like IMR have shown betterment.

The boost to infrastructure and tourism has been for everyone to see. The credit for this naturally goes to the resilience of the people of Jammu and Kashmir, who have shown time and again that they want only development and are willing to be drivers of this positive change. Earlier, there was a question mark on the status of Jammu, Kashmir, and Ladakh. Now, there are only exclamation marks about record growth, record development, and record tourist inflow.

In its verdict on December 11, the Supreme Court has strengthened the spirit of *Ek Bharat, Shreshtha Bharat* – it has reminded us that what defines us are the bonds of unity and a shared commitment to good governance. Today, every child born in Jammu, Kashmir, and Ladakh is born with a clean canvas, where he or she can paint a future full of vibrant aspirations. Today, the dreams of the people are no longer prisoners of the past but are possibilities of the future. After all, development, democracy, and dignity have replaced disillusionment, disappointment and despondency.



# Don't fall prey to loan-waiver offers: RBI cautions public

**The Hindu Bureau**

MUMBAI

The Reserve Bank of India (RBI) has cautioned members of the public against falling prey to false and misleading campaigns offering loan waivers. The bank has asked people to report such incidents to law-enforcement agencies.

"The RBI has noticed certain misleading advertisements enticing borrowers by offering loan waivers," the central bank said in a circular. "These entities seem to be actively promoting many such campaigns in the print media as well as social media platforms.



"There are reports of such entities charging a service/legal fee for issuing 'debt waiver certificates' without any authority," according to the circular.

"It has also come to our notice that in certain locations, campaigns are being run by a few persons, which undermine the efforts of banks in enforcing

**There are reports of entities charging a fee for issuing 'debt waiver certificates' without authority**

their rights over the securities charged to the banks," the RBI said. "Such entities are misrepresenting that dues to financial institutions, including banks need not be repaid.

"Such activities undermine the stability of financial institutions and, above all, the interest of the depositors. It may also be noted that associating with such entities can result in direct financial losses," the RBI warned.



# Retail inflation is stable now: FM

India's retail inflation has declined from an average of 7.1% in April-October 2022 to 5.4% in the corresponding period of 2023, Ms. Sitharaman tells Parliament; the FM attributes weakening price rise largely to a steady drop in core inflation

**The Hindu Bureau**

NEW DELHI

**T**he country's consumer price inflation is now "stable" and within the official tolerance band of 2% to 6%, Finance Minister Nirmala Sitharaman conveyed to the Lok Sabha on Monday, attributing weakening price rise largely to a steady drop in core inflation.

"India's retail inflation has declined from an average of 7.1% in April-October 2022 to 5.4% in the corresponding period of 2023. Core inflation [that excludes food and energy

## Easing inflation

FM asserts inflation has been within acceptable limits since the introduction of the tolerance band in 2016

■ Nirmala Sitharaman says retail inflation is now stable and within the RBI's notified tolerance band of 2% to 6%

■ Core inflation has declined from 5.1% in April 2023 to 4.3% in October 2023, FM says



■ Temporary increases in inflation reined in by supply-side and demand stabilisation measures, she asserts

costs] has declined from 5.1% in April 2023 to 4.3% in October 2023," the FM said in response to a question from MP Sushil Kumar Rinku on retail inflation

"increasing steeply".

Temporary increases in inflation "on a few occasions were caused by demand-supply mismatches arising out of global shocks

and adverse weather conditions" and the government and the Reserve Bank of India had helped resolve such mismatches and reined in inflation through proactive supply-side initiatives and effective demand stabilisation measures, she underlined.

"Retail inflation is now stable and within the notified tolerance band of 2% to 6%," Ms. Sitharaman said, adding that the pace of price rise had been "mostly within acceptable limits" since the introduction of the tolerance band in 2016. A steady decline in core inflation had been

critical in weakening inflationary pressure in the Indian economy, she said. Ms. Sitharaman outlined some of the government's steps to restrain inflation such as easing food imports, preventing hoarding, extending the free food grain scheme, and raising LPG subsidy.

November's retail inflation numbers will be released by the National Statistics Office on Tuesday and the RBI has indicated there may be a spike in inflation in November from the four-month low of 4.87% in October due to an uptick in vegetable prices.



# States' fiscal outlook for FY24 is favourable, says RBI

**K. Ram Kumar**

MUMBAI

The overall fiscal outlook for States remains favourable in FY24 with adequate fiscal space for undertaking higher capital expenditure (capex) in view of resilient domestic economic activity and States' consolidation efforts, according to a Reserve Bank of India report.

On the revenue side, even though the growth in tax revenue during H1 (April-September) 2023-24 at 14.6% was marginally lower than the budgeted 17.9%, it is expected to improve during H2 (October-March) 2023-24 due to a favourable base and continued robust GST collection, as per the report 'State Finances: A Stu-



The RBI highlighted that 79% of State government securities will mature in the next 10 years, implying higher rollover risk for State governments

dy of Budgets of 2023-24' put together by RBI officials.

On the expenditure side, growth in revenue expenditure during the year so far (H1 - 2023-24) at 8.9% is much lower than the full year Budget Estimate of 18% and provides space for undertaking higher capital expenditure, while persevering with fiscal consolidation, RBI officials said.

The overall debt-GDP ratio of States peaked at 31% at end-March 2021 and declined to 27.5% by end-March 2023, supported by fiscal consolidation. But for some States, however, the debt-GDP ratio remained high.

## **Pressure points**

At a disaggregated level, the debt-GDP ratio could exceed 25% (average of debt-GDP ratio from 2015-16 to 2019-20) as at end-March 2024 (BE) for 25 States/ UTs.

The report highlighted that around 79% of SGS (State government securities) will mature in the next 10 years, implying higher rollover risk for State governments.

*(The writer is with The Hindu businessline)*



# Origin mystery of mummified baboons finally cracked

The Egyptian god Thoth was represented by a baboon, which is odd because baboons aren't native to Egypt. An interdisciplinary team recently cracked the long-standing mystery of where these baboons came from using ancient DNA from a mummified animal at the Gabbanat el-Qurud site

Sanjukta Mondal

In 1905, Louis Lortet and Claude Gaillard travelled from France to Luxor, an Egyptian city on the banks of the river Nile, to investigate the discovery of mummified monkeys in Gabbanat el-Qurud, a.k.a. 'Valley of the Monkeys'.

Lortet and Gaillard, both Egyptologists, were able to retrieve 17 skulls and a large quantity of bones that belonged - surprisingly - to baboons. Baboons are not native to Egypt, and the scholars weren't sure where they could have come from.

Indeed, for more than a century after their discovery, the origins of the baboons continued to puzzle scientists.

An interdisciplinary team of scientists recently cracked this long-standing mystery. The project was led by primatologist Gisela Kopp of the University of Konstanz, Germany, and the team's paper was published in the journal *eLife*.

## What evidence did the study use?

The scientists have reported that using mitochondrial DNA, they were able to trace the baboons to the ancient city of Adulis, in present-day coastal Eritrea, and a bustling trade centre between the first and seventh centuries AD.

Members of the team were able to retrieve ancient DNA from a mummified baboon found at the Gabbanat el-Qurud site. By comparing it to the DNA of modern baboons, they hoped to understand where the ancient individuals could've come from.

"My collaborators and I have done a lot of research on a genetic variation in baboons. So, we have very good coverage of the data distribution throughout Africa [where baboons live today] for actual comparison," Dr. Kopp told this writer.

In a happy addition, the team's study also shed some light on the possible current location of the lost city of Punt. "Locating Punt is important because it drove the evolution of long-distance maritime technology for nearly 1,200 years," Nathaniel Dominy, an anthropologist from Dartmouth University and a coauthor of this study, said. "When we learned about the existence of mummified baboons in Egypt, it occurred that they could be material evidence of trade with Punt."

## Why is a baboon mummy puzzling?

Ancient Egyptians did mummify animals. Mummified cats were buried with their owners in the hope of reuniting them in the afterlife. They were also given as offerings to Bastet, the goddess of fertility and war who had the head of a cat.

Older studies have also reported that Egyptians removed the canine teeth of these baboons and bred them in captivity to be mummified later, as a votive gift to Thoth, the god of wisdom and the moon, often depicted as a baboon with a heavy mane.

But the latter was strange because Egypt isn't a natural habitat for baboons. The species whose mummies were found, are actually indigenous to Sub-Saharan Africa and the southwestern Arabian Peninsula. Dr. Kopp called Thoth "the only god



Mummified baboons have been found in Egypt and researchers have wondered about their origin since the animal is not native to Egypt. This red quartzite baboon statue found in Egypt, dates back to 1391-1353 BC. TIM EVANSON (CC BY-SA 2.0)

and in all the gods that they have that is represented by an animal that didn't exist there, at least to our knowledge and from all the evidence that we have."

## How did mitochondrial DNA help?

The concentration of strontium isotopes in soil, water, and local plants varies from place to place. When living creatures eat food and drink water, the strontium leaves a geographical impression in their teeth, bones, and hair. The same goes for the concentration of oxygen in these body parts.

For a 2020 study, Dr. Dominy and his team matched the concentrations of oxygen and strontium isotopes in teeth, bone, and hair samples from mummified baboons to those in parts of the Horn of Africa, which encompasses modern-day Eritrea as well as Ethiopia, Djibouti, Somalia, and Yemen.

However, this method is less useful with animals that are bred in captivity because the isotope levels in their body parts would then point to a life in Egypt.

So the researchers turned to the genetic material in the mitochondria - the powerhouse of every cell in our bodies. This mitochondrial DNA has been used to trace the ancestry of an animal to its source population with greater accuracy.

It presents a different challenge, however: the DNA thus extracted needs to be fit for analysis, and shouldn't have degraded or otherwise have been corrupted by mummification.

Scientists used to think that the chemical processes by which the bodies of people and animals are mummified together with Egypt's hot, arid conditions were suitable to preserve soft tissues, facial features, and even tattoos but not DNA. But then a study published in 2017 became one of the first to successfully



Researcher matched concentrations of oxygen and strontium isotopes in teeth, bone, and hair samples to those in parts of the Horn of Africa, which encompasses Eritrea as well as Ethiopia, Djibouti, Somalia, and Yemen

recover DNA from a human mummy, paving the way for the genetic analysis of mummified remains.

Following suit, Dr. Kopp and her team obtained DNA samples from 14 baboon specimens preserved in museums between 1855 and 1978, and one mummified sample from Gabbanat el-Qurud that's now part of the Musée des Confluences's collection in France.

The subsequent analysis pointed them to a distinct part of present-day Eritrea, and by extension Adulis, as the geographical origin of the monkeys.

## How are Adulis and Punt connected?

The texts and other accounts of Pliny the Elder, Strabo, and other scholars mention Adulis as Egypt's trading partner for luxury goods and live animals between 332 BC and 395 AD. The mummified sample used by Kopp et al, however, was dated to between 800 BC and 500 BC, which is long before Adulis's rise as a trading centre.

Instead, artwork and texts that are roughly as old as the mummies refer to a place called Punt as the source of leopard skin, gold, and live exotic animals. "There were depictions from ancient Egypt that showed baboons on these ships when they did the expeditions to Punt ... but

nobody really knew where Punt was located," Dr. Kopp said.

She added that the results of the new study, read together with evidence from history and Dr. Dominy's isotope studies, establish a "geographical continuity" between Punt and Adulis. For decades, scholars have wondered if Punt and Adulis were different names for a common trading centre separated by millennia, and the new findings support this interpretation.

Dr. Dominy also said that the findings, guided by the accounts of Greco-Roman historians, draw attention to the importance of the Red Sea as a major node in the history of trade relationships between Indian, Egypt, and Europe.

## What next?

"Our work is one of the first instances where we successfully analysed ancient DNA from non-human primates," said Dr. Kopp. "Also, it is fascinating to see how a tiny sample from an ancient mummified animal could help us understand the trade routes that existed long before we came along and long before we established different technologies to trace them."

Since their study was based on the genetic analysis of a single mummy, members of the team plan to explore more ancient DNA from baboons from different periods to acquire a clearer picture of the relationship between Egyptians and baboons. In most civilisations where baboons and humans have lived together, the primates have usually been considered a nuisance.

(Sanjukta Mondal is a chemist-turned-science-writer with experience in writing popular science articles and scripts for STEM YouTube channels.)



## THE SCIENCE QUIZ

### U.S. FDA approves gene therapies to treat sickle cell disease

**Vasudevan Mukunth**

#### QUESTION 1

One of these treatments is called Casgevy, which uses a genome-editing technology called CRISPR/Cas9. The developers of CRISPR won the Nobel Prize for chemistry in 2020. What does CRISPR stand for?

#### QUESTION 2

Name the developers of CRISPR in the previous question.

#### QUESTION 3

In Casgevy, CRISPR/Cas9 is used to modify the DNA in a patient's blood stem cells in specific places. These modified cells are transplanted back into the patient, where they multiply

inside the bone marrow and improve \_\_\_\_\_ delivery in the body. Fill in the blank.

#### QUESTION 4

The other therapy that was approved is called \_\_\_\_\_. Here, a patient's blood stem cells are genetically modified to produce a haemoglobin similar to normal adult haemoglobin (unaffected by sickle cell disease). These cells are then transplanted into the patient. Fill in the blank.

#### QUESTION 5

When both therapies were being tested in clinical trials, one of the targeted outcomes was whether they reduced the incidence of \_\_\_\_\_. These events happen when the sickle-shaped red blood cells of people with sickle cell disease limit the oxygen delivered to

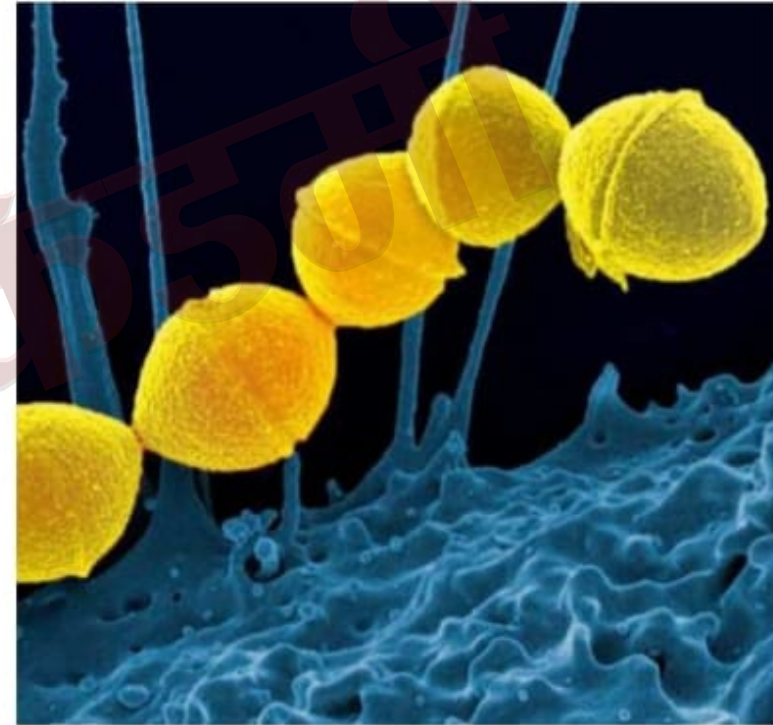
tissues. Fill in the blanks.

**Answers to December 7 quiz:**

1. Dying in the 1990s, this lake was later restored and called "India's best kept secret" – **Ans: Chilika Lake, Odisha**
2. Lake where 'Yeh chand sa roshan chehra' was shot – **Ans: Dal Lake, Kashmir**
3. Famed for its phums and hosts a floating national park – **Ans: Loktak Lake, Manipur**
4. Reservoir formed by the Bhakra Dam and named for 10th Sikh guru – **Ans: Gobind Sagar**
5. Heart-shaped lake built by Quli Qutb Shah – **Ans: Hussain Sagar Lake**

First contact: Sanjana V. | Pratibha Lohiya | Akshay Pathange | Varshinidevi K. | Khushboo Jangid

Please send in your answers to  
[science@thehindu.co.in](mailto:science@thehindu.co.in)



Name the bacteria (shown above) that naturally use a CRISPR/Cas9 system to modify their DNA. NIAID (CC BY 2.0)



# U.K. PM Rishi Sunak defends his government's handling of pandemic, restaurant scheme

**Reuters**

LONDON

Prime Minister Rishi Sunak defended Britain's handling of the COVID-19 pandemic on Monday, telling an official inquiry he did not recognise testimony describing a dysfunctional government and saying his hospitality scheme was supported at the time.

The inquiry is examining Britain's response to the pandemic which killed more than 2,30,000 people in the country. It has heard that the government of then-Prime Minister Boris Johnson was gripped by infighting and incompetence, and unable to make a decision.

Mr. Sunak was a relative-



Rishi Sunak

ly unknown politician when he was promoted to Finance Minister on the eve of the pandemic, appearing to be sure-footed as he set out hundreds of billions of pounds of support to keep companies and livelihoods afloat.

He has come under fire during the inquiry so far from other witnesses over

his "Eat out to help out" subsidised meal scheme, which encouraged people to visit restaurants and pubs in August 2020.

Some scientists have questioned whether Mr. Sunak's policy may have contributed to a wave of infections, but Mr. Sunak said scientists and other Ministers did not raise any objections during meetings in the month leading up to the scheme.

He said that "Eat out to help out" took place within guidelines for the safe reopening of hospitality.

"My primary concern was protecting millions of jobs of particularly vulnerable people who worked in this industry (hospitality)," Mr. Sunak told the inquiry.





CJI D Y CHANDRACHUD



JUSTICE SANJIV KHANNA



JUSTICE B R GAVAI



JUSTICE S K KAUL



JUSTICE SURYA KANT

During...President's rule, there may be hundreds...of decisions that need to be taken...to ensure day-to-day administration of the State continues...If every action...was open to challenge, this would...bring to Court every person who disagreed with an action...

—CHIEF JUSTICE OF INDIA D Y CHANDRACHUD

The purpose of Article 370...was to slowly bring J&K on par with other States...The requirement of a recommendation from the Constituent Assembly cannot be read in a manner as to make the reference to the larger intention of the provision redundant.

—JUSTICE SANJAY KISHAN KAUL

# Key aspects of Article 370 verdict

From 'sovereignty' of J&K to 'temporary' nature of Article 370: this is what the Constitution Bench said in its unanimous ruling

APURVA VISHWANATH  
NEW DELHI, DECEMBER 11

THE SUPREME COURT in a 5-0 unanimous ruling upheld the Centre's abrogation of Article 370 of the Constitution on Monday.

A Constitution Bench led by Chief Justice of India (CJI) D Y Chandrachud upheld the constitutional validity of the two Presidential Orders CO (The Constitution (Application To Jammu and Kashmir) Order) 272 and 273 of August 5 and 6, 2019 respectively by which the entire Constitution of India was made applicable to J&K, and all provisions of Article 370 were declared inoperative.

This is what the court said on four key issues in the challenge to the decisions of the government.

## On the sovereignty of Jammu and Kashmir

The petitioners had argued that J&K retained an element of sovereignty when it joined the Indian Union in 1947. This arrangement, they argued, was distinct from the relationship with the other princely states that merged with India.

The court examined the constitutional set-up of the erstwhile state to examine if it retained an element of sovereignty, which would allow Article 370 to operate in "unique circumstances".

First, it noted, Article 1 of the Constitution of India provides that India is a Union of States. Article 1 references "Part III states", and Jammu and Kashmir was listed as a Part III state (before 2019) in the First Schedule to the Constitution of India.

Second, Section 3 of the Constitution of Jammu and Kashmir declared that Jammu and Kashmir is an integral part of India. The provision read: "Relationship of the State with the Union of India: The State of Jammu and Kashmir is and shall be an integral part of the Union of India." Section 147 of the J&K Constitution prohibited any amendment to Section 3.

The court held that these provisions contradict the argument that an agreement of merger was necessary for Jammu and Kashmir to surrender its sovereignty. It noted that when Yuvraj Karan Singh issued the Proclamation adopting the Indian Constitution on November 25, 1949, it effectively had the effect of a "merger" like any other princely state.

"The declaration that the Constitution of India would not only supersede all other constitutional provisions in the State which were inconsistent with it but also abrogate them achieves what would have been attained by an agreement of merger," the CJI said in his opinion, written also for Justices B R Gavai and Surya Kant.

However, Justice S K Kaul in his concurring opinion held that J&K retained an element of internal sovereignty despite Maharaja Hari Singh signing the Instrument

of Accession (IoA) with India. He cited the recognition of this internal sovereignty in Article 370 when it recognised the Constituent Assembly of the State. However, this had no bearing on the final conclusions reached by Justice Kaul.

## On whether Article 370 is temporary or permanent

A range of arguments were made before the Court on the permanence (or lack thereof) of Article 370. The petitioners argued that the provision could not be abrogated since it had attained permanence, and as the original part of the Constitution forms the basic structure, which cannot be tinkered with.

Senior advocate Kapil Sibal argued that since 370(3) prescribes the recommendation of the Constituent Assembly of the

between J&K and India. Once the J&K Constitution was enacted and it was adopted to be a part of India, this arrangement would not have been necessary.

Second, the provision was adopted because of the special circumstances in the state, which was experiencing war conditions.

## On the legality of the abrogation of Article 370

The legal route for the abrogation of Article 370 was twofold.

First, on August 5, 2019, then President Ram Nath Kovind issued CO 272, which amended Article 367 of the Constitution. Article 367 deals with interpretation of the Constitution, and the CO added a new meaning to "Constituent Assembly of Jammu and Kashmir" to mean "legislative assembly of Jammu and Kashmir".

Then, CO 273 was promulgated seeking the consent of Parliament (which had assumed powers of the J&K legislature) to recommend that "all clauses of the said article 370 shall cease to be operative".

While Justice Kaul upheld this process, CJI Chandrachud in his opinion said that the circuitous route of first changing the meaning of the Constituent Assembly of J&K was not needed.

Essentially, after the Constituent Assembly of the state ceased to exist, the President could have always unilaterally abrogated Article 370.

"The power under Article 370 (3) did not cease to exist upon the dissolution of the Constituent Assembly of Jammu and Kashmir. When the Constituent Assembly was dissolved, only the transitional power recognised in the proviso to Article 370 (3) which empowered the Constituent Assembly to make its recommendations ceased to exist. It did not affect the power held by the President under Article 370 (3)," the ruling stated.

## On the action that was taken under President's rule

The petitioners had argued that the Union took "irrevocable" action without the state's consent when it was under President's rule. Here, the challenge was to the extent of powers that can be appropriated when Article 356 is in operation.

Both the CJI and Justice Kaul cited the 1994 ruling in *S R Bommai v Union of India* that defined the contours of proclamation of President's rule.

The Bommai ruling was a nine-judge Bench verdict that is binding on a smaller 5-judge Bench.

Relying on the Bommai ruling, the court said that the standard to decide the validity of the President's action was to see whether it was not " mala fide or palpably irrational", or that the "advisability and necessity of the action was not borne in mind by the President".

## What was the Bommai judgment, which the SC relied on in its ruling?

APURVA VISHWANATH  
NEW DELHI, DECEMBER 11

IN UPHOLDING the abrogation of Article 370, the Supreme Court on Monday relied heavily on its landmark 1994 judgement in *S R Bommai v Union of India*. What is this case, and how does it relate to the J&K challenge?

## The case

In *Bommai*, a nine-judge Bench of the Supreme Court interpreted Article 356 of the Constitution to define the contours of proclamation of President's rule. Article 356 contains provisions "in case of failure of constitutional machinery in States", including that for the imposition of President's rule.

While all nine judges upheld the provision, the Court ruled that the President's decision would be subject to judicial review. *Bommai* is still the settled law on when and how President's rule can be imposed, and was invoked in recent cases in Uttarakhand (2016) and Arunachal Pradesh (2016), both of which were overturned by the Supreme Court.

## The background

In 1989, the Centre dismissed the Janata Dal-led Karnataka government by imposing President's rule. After allegedly receiving 19 letters from MLAs withdrawing their support to Chief Minister SR Bommai's government, then Karnataka Governor P Venkatasubbiah recommended to the President that he take over the state's administration.

He cited two reasons. First, that Bommai did not command a majority and, hence, "it was inappropriate under the Constitution" for him to continue. Second, no other party was in a position to form the government.



Former Karnataka CM Bommai, Archive

This move, however, was controversial. The SC ruling would later note that "the Governor did not ascertain the views of Sri Bommai" before making his report to the President. In fact, 7 out of the 19 legislators who allegedly withdrew support to the government would soon make a U-turn, complaining their signatures were obtained by misrepresentation.

## The verdict

The SC held that the President's proclamation on grounds of illegality, mala fide, extraneous considerations, abuse of power, or fraud. While the President's appraisal of the issue cannot be examined, the Court said the material relied on for making the decision can be reviewed.

The verdict also made Parliamentary approval necessary for imposing President's rule. Only after the proclamation is approved by both Houses of Parliament can the President exercise the power. Till then, the President can only suspend the state legislature. If Parliament did not approve the proclamation within two months, the dismissed government would stand revived.

The ruling also drew a redline for Centre-

state relationships.

"The fact that under the scheme of our Constitution, greater power is conferred upon the Centre vis-à-vis the states does not mean that states are mere appendages of the Centre," Justice Jeevan Reddy wrote in his opinion. "The Centre cannot tamper with their powers. More particularly, the courts should not adopt an approach, an interpretation, which has the effect of or tends to have the effect of whittling down the powers reserved to the states," he wrote.

According to research by Alok Prasanna Kumar, Senior Resident Fellow at Vidhi Karnataka, the imposition of President's rule drastically decreased after the Bommai verdict. Between January 1950 and March 1994, President's Rule was imposed 100 times on an average of 2.5 times a year. Between 1995 and 2021, it has been imposed only 29 times or a little more than once a year.

## The Kashmir reference

A key question in the Kashmir case was whether Article 370 could have been abrogated when the state was under President's rule. Here, the Supreme Court relied on the Bommai ruling to hold that the actions of the President are constitutionally valid. The Court said that the Bommai ruling held that the actions taken by the President after issuing a Proclamation are subject to judicial review, but the judges adopted varying standards to test the validity of the executive orders.

The Court cited two — one by Justice P B Sawant, and another by Justice Reddy. Justice Sawant had set the standard of whether the exercise of power was mala fide or palpably irrational, while Justice Reddy observed that the advisability and necessity of the action must be borne in mind by the President.

## THIS WORD MEANS

## TRUTH AND RECONCILIATION COMMISSION

Justice Kaul recommended setting up such a body to probe human rights violations in J&K

KHADIJA KHAN  
NEW DELHI, DECEMBER 11

JUSTICE S K Kaul, in his concurring opinion in the Article 370 verdict, recommended setting up a Truth and Reconciliation Commission to "investigate and report on the violation of human rights by both state and non-state actors" in J&K, and "recommend measures for reconciliation."

"Truth-telling provides an opportunity for victims to narrate their stories, which facilitates an acknowledgement from those responsible for perpetuating the wrongs, and from society as a whole. This paves the way for reconciliation," Justice Kaul noted.

## Not a criminal court

In essence, truth and reconciliation commissions are official mechanisms to acknowledge and reveal wrongdoings by a

government (or sometimes non-state actors), so conflicts of the past can be resolved.

Priscilla B Hayner, in her review of 40 such commissions, defined them as "i) focused on the past, rather than in ongoing events; ii) investigating a pattern of events that took place over a period of time; iii) engaging directly and broadly with the affected population, gathering information on their experiences; iv) a temporary body, with the aim of concluding with a final report; and v) officially authorised or empowered by the state under review". (*Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*, 2001)

However, as Justice Kaul pointed out, such commissions are not the same as criminal courts, and instead follow a "humanised and personalised process" enabling people to share their experiences without inhibition.

## Successful in the past

A number of countries have set up such

commissions in the past, with the ones in South Africa, Australia and Canada probably the most well-known. Justice Kaul referred to South Africa's post-Apartheid Commission in his judgement.

Constituted in 1995, under the chairmanship of Reverend Desmond Tutu, South Africa's TRC would go on to release a seven-volume report (five in 1998, two in 2003). Rather than prosecution and punishment (like during the Nuremberg Trials that prosecuted Nazis post World War II), it focused on gathering evidence and uncovering information from both victims and perpetrators of crimes.

"Finally, there was acknowledgement by the whole country that these things happened and can happen again — and that we needed to fit all these facts together... and do what we could to minimise any possibility of their recurrence," Albie Sachs, South African jurist quoted by Justice Kaul, wrote in 2009 (*Strange Alchemy of Life and Law*).

This is not a case where only Articles 1 and 370...were applied to Jammu and Kashmir and suddenly after seventy years the entire Constitution was being made applicable. The continuous exercise of power under Article 370(1) by the President indicates that the gradual process of constitutional integration was ongoing. The declaration issued by the President in exercise of the power under Article 370(3) is a culmination of the process of integration.





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## DECEMBER 12, 1983, FORTY YEARS AGO

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### IMPASSE WITH AKALIS

PRIME MINISTER INDIRA Gandhi met President Zail Singh and reviewed the Punjab situation along with some other issues. Mrs Gandhi informed the President that it would not be possible to have a dialogue with the Akalis till there was an improvement in the law and order situation in Punjab.

### GENERAL TO PRESIDENT

BANGLADESH MILITARY RULER Lt-Gen H M Ershad assumed the office of the President replacing AFMAhsanuddin Chowdhury whom he appointed last year after the elected pres-

ident Abdus Sattar was overthrown by him in a coup. Gen Ershad took upon himself the responsibility of the President through a martial law decree, issued by himself. He also retained the portfolio of the chief martial law administrator and the chief of army staff.

### WALESA FOR PEACE

VOWING THAT SOLIDARITY will not be crushed, Nobel Peace Prize laureate Lech Walesa appealed to the Polish government to let his union help in solving Poland's problems. A government-solidarity dialogue "is possible, and we have the right to it," Walesa said in his Nobel lecture, read for him in Polish by

Bogdan Cywinski, the outlawed labour federation's leader outside Poland. Cywinski represented Walesa because he feared the government would not let him return if he left Poland to collect his prize.

### DIALOGUE IN SRI LANKA

THE TAMIL UNITED Liberation Front in Sri Lanka will be invited to the proposed all-party conference to resolve the island's ethnic problem. A consensus to this effect has been reached in the meetings that leaders of different political parties had with President J R Jayewardene. They also agreed on the need to find a political solution to the problem.