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The Hindu-Governance(GSII)Page 1

JJP, INLD seek floor test, say BJP govt. lost majority

Dushyant tells Governor that JJP is open to backing a non-BJP party for forming a government in Haryana; Congress leader Hooda asks him to present all 10 party MLAs before the Governor

The Hindu Bureau
GURUGRAM

After three Independent MLAs withdrew support to the Bharatiya Janata Party government in Haryana earlier this week, the Jannayak Janta Party (JJP) and the Indian National Lok Dal (INLD) on Thursday wrote to the Governor seeking an immediate floor test to determine whether the government has a majority or President's Rule should be imposed.

JJP leader and former Deputy Chief Minister Dushyant Chautala, whose party had remained absent during the voting on a confidence motion for the BJP government in March, said in his letter to the Governor that his party did not support the government



Given these developments and the clear stance of my party... it is evident that the incumbent government no longer commands a majority in the Legislative Assembly

DUSHYANT CHAUTALA
Jannayak Janta Party leader

and was open to backing any political party in the State for forming a new government.

The letter came a day after he offered to "consider" outside support to the Congress to topple the BJP government.

Referring to the withdrawal of support by three Independent MLAs and two vacant Assembly seats, Mr. Chautala said in his letter that "given these deve-

lopments and the clear stance of my party – i.e. JJP, which does not extend its support to the present government and is open to backing any other political party for government formation, it is evident that the incumbent government no longer commands a majority in the Legislative Assembly".

Saying that there was an urgent need to "reinstate stability" and "uphold de-

mocratic norms" in Haryana, Mr. Chautala sought directions to the present State government under Article 174 of the Constitution to prove its majority on the floor of the House or the imposition of President's Rule.

INLD secretary-general and the party's lone MLA Abhay Chautala too wrote to the Governor seeking directions to the BJP government to prove its majority.

Congress leader and former Chief Minister Bhupinder Singh Hooda said the JJP must parade all 10 of its MLAs before the Governor amid reports that some of them had turned rebels.

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- A floor test is primarily taken to know whether the executive enjoys the confidence of the legislature.
- This happens both in the Parliament and the State Legislative Assemblies.
- It is a constitutional mechanism under which a Chief Minister appointed by the Governor can be asked to prove majority on the floor of the Legislative Assembly of the state.

The Hindu-Polity and Governance(GSII)-Page 12

Reservation within Constitutional bounds

How does the inclusion of Muslims in the OBC quota align with the Constitution's aim of social justice? Should India consider lifting the 50% cap on reservations to ensure fair representation for communities? Is it time for India to extend reservation benefits to Dalit Christians and Muslims to address historic discrimination?

LETTER AND SPIRIT

Rangarajan R.

The story so far

A political slugfest has emerged over the reservation issues with the BJP making outlandish remarks about the Congress' demand for caste census by linking it to religion. The Opposition, meanwhile, had raised concern over the BJP's position on reservation, despite the latter's explicit denial of any change in policy.

Constitution and affirmative action

The Constitution aims to secure social justice while guaranteeing equality as a fundamental right. Articles 15 and 16 guarantee equality to all citizens in any action by the state (including admissions to educational institutions) and public employment respectively. To achieve social justice, they also enable the state to make special provisions for the advancement of OBC, SC and ST. OBC is a collective term to classify socially and educationally backward castes. Many States also classify certain castes as the Most Backward Classes (MBC). The reservation percentages vary from State to State.

In the *Indra Sawhney* case (1992), the Supreme Court upheld the 27% reservation for OBC. It opined that caste is a determinant of class in the Indian context and backwardness cannot be determined solely on economic criteria. However, to uphold the basic structure of equality, it fixed a cap of 50% for reservations unless there were exceptional circumstances. The reservation of OBC (27%), SC (15%) and ST (7.5%) resulted in a total reservation of 49.5%. The court also provided for excluding the creamy layer from OBC with an income limit currently at ₹8 lakhs per annum. Children of parents, either of whom entered the government service (Centre or State) as Group A/Class I officers and children of parents, both of whom entered as Group B/Class II officers are also excluded. In the *Jarhit Ahlyan* case (2022), the court by a majority of 3:2 upheld the constitutional validity of the EWS reservation. It held that economic criteria could be a basis for reservation.

Changes overview

A brief summary of important developments with respect to reservations at the central level



Year	Key development
1950 & 1951	Commencement of Constitution and First Amendment. Enabling provisions in Article 15 and 16 to make special provisions for advancement of OBC, SC, and ST
1992	Reservation for SC and ST fixed at 15% and 7.5% respectively, in central educational institutions and public sector undertakings
1990	27% reservation for OBC in central government employment introduced based on the recommendations of the Mandal Commission
2005	93rd Constitutional amendment inserted Article 15(5) that enabled reservation for OBC, SC and ST in educational institutions including private institutions
2019	103rd Constitutional amendment inserted Articles 15(6) and 16(5) that enabled up to 10% reservation for Economically Weaker Sections (EWS) among the unreserved category in educational institutions and public employment

that consists of government-approved and voluntary private programs granting special consideration to racial minorities like African-American and Latin-American. In *Harvard* case (2023), the U.S. Supreme Court, however, ruled that race-based affirmative action programs in college admissions violate the equal protection clause of the U.S. Constitution. In the U.S., the law enables voluntary 'positive action' which allows employers to combat under-representation of disadvantaged groups. France does not have any affirmative action based on race or ethnicity. It provides educational measures designed to increase opportunities for low-income students.

Current debate

The Constituent assembly that framed our Constitution was against reservation solely based on religion. The Constitution guarantees the prohibition of

Constitution (Scheduled Castes) order, 1950 specifies that the person should profess only Hinduism, Sikhism or Buddhism. There is no such requirement for being a member of a ST.

The Congress, meanwhile, in its manifesto has promised that they would work towards removing the 50% cap placed on reservations.

The way forward

Reservation is affirmative action meant to balance the historical discrimination faced by OBC, SC and ST communities. Rohini Commission was set up to provide recommendations on sub-categorization amongst OBC castes. Though the findings of the report are yet to be made public, it has been estimated that 97% of reserved jobs and seats in educational institutions have been garnered by just around 25% of the OBC castes/sub-castes at the central level. Close to 1,000 of around 2,600 communities under the OBC category had zero representation in jobs and educational institutes. While sub-categorisation has been implemented in 11 different States, it has not been carried out at the central level. A similar issue of concentration of reservation benefits persists in the SC and ST categories. There is no exclusion based on the 'creamy layer' for these communities. The Dalit Christians and Muslims also suffer from considerable discrimination and lack of opportunities. The government has constituted a commission headed by former CJI K. G. Balakrishnan to study the question of extending SC reservation to Dalits who have converted to religions other than Sikhism and Buddhism.

Increasing the reservation limit beyond 50%, sub-categorisation among reserved categories, introducing appropriate creamy layers for SC and ST, and extending SC reservations to Dalit Christians and Muslims are matters that are sensitive with their set of pro and cons. There must be effort nevertheless to deliberate on these matters and frame suitable policies such that the benefits of reservation progressively reach the extremely marginalised sections. The aim should be towards the continuous pursuit of social justice while maintaining a harmonious balance with equality guaranteed in the Constitution.

THE GIST

Articles 15 and 16 of the Indian Constitution guarantee equality and provide for special provisions for the advancement of OBC, SC, and ST communities. The Supreme Court has upheld reservations for these communities, setting a cap of 50% unless under exceptional circumstances.

There's a debate over the inclusion of Muslims in the OBC quota in Karnataka. While some argue it's in line with the Constitution's aim of social justice, others oppose it, citing historical opposition to reservation solely based on religion.

Suggestions include sub-categorisation within reserved categories, addressing the concentration of reservation benefits, extending reservation to Dalit Christians and Muslims, and deliberating on increasing the reservation limit beyond 50%. These measures aim to ensure social justice while maintaining equality in the Constitution.

- The Constitution aims to secure social justice while guaranteeing equality as a fundamental right.
- Articles 15 and 16 guarantee equality to all citizens in any action by the state (including admissions to educational institutions) and public employment respectively.
- To achieve social justice, they also enable the state to make special provisions for the advancement of OBC, SC and ST.
- OBC is a collective term to classify socially and educationally backward castes. Many States also classify certain castes as the Most Backward Classes (MBC). In the *Indra Sawhney* case (1992), the Supreme Court upheld the 27% reservation for OBC. It opined that caste is a determinant of class in the Indian context and backwardness cannot be determined solely on economic criteria. However, to uphold the basic structure of equality, it fixed a cap of 50% for reservations unless there were exceptional circumstances. The reservation of OBC (27%), SC (15%) and ST (7.5%) resulted in a total reservation of 49.5%.

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Why did Interpol issue a blue corner notice against Prajwal?

How is a blue corner Interpol notice different from a red corner notice? What does it mean for the SIT probe in the Prajwal Revanna sexual assault case? How does Interpol alert member countries about fugitives?

Sumeda

The story so far:

A mid a political storm in Karnataka over grave allegations of sexual abuse against Prajwal Revanna, sitting Hassan MP and grandson of former Prime Minister H.D. Deve Gowda, the International Criminal Police Organisation, commonly known as Interpol, has issued a blue corner notice against the absconding politician. The MP has been on the run since late last month following the leak of thousands of explicit video clips that allegedly show the 33-year-old sexually abusing multiple women, prompting the JD(S) to suspend him.

How does the Interpol alert countries?

The Interpol is an inter-governmental law

enforcement organisation which assists and facilitates cooperation between national law forces in 196 member countries to combat transnational crimes. The organisation shares information regarding crimes and wanted criminals globally, and provides technical, operational, and investigative support to locate fugitives.

It manages a database of critical data about wanted criminals, which member countries can use to trace such individuals.

The agency has a National Central Bureau in all member countries which is a single point of contact between law enforcement agencies of that country and Interpol.

The Central Bureau of Investigation (CBI) is officially designated as the nodal agency for India.

The agency uses

a 'colour-coded' system to alert and share requests for crime-related information among member countries and global organisations. Notably, member countries are not bound by international law to abide by Interpol notices as they are entirely discretionary.

Why did Interpol issue a blue corner notice against Prajwal Revanna?

The international organisation issues a blue corner notice when the case is related to missing persons. Also called an "enquiry notice," such an alert is sent for additional information from member states about a person, to verify their identity, location, or criminal record concerning a criminal investigation.

It is different from a red corner notice, considering that the purpose of a blue notice is information about a person of interest in an investigation, while the

former is generally issued against a person wanted for extradition, or serve a sentence based on a court decision, or a similar lawful action.

Interpol issued a blue corner notice against Mr. Revanna after the Special Investigation Team (SIT) formed by the Karnataka government sought the help of the CBI for further inquiry.

The SIT first issued a look out circular against the Hassan MP after he failed to appear before the panel.

The request came days after the Hassan MP remained untraceable. As per reports, the MP left for Munich, Germany using his diplomatic passport a day after his constituency went to the polls in the second phase of the Lok Sabha elections on April 26, and hours before the SIT was constituted.

Mr. Revanna's advocate sought seven days for his client to present himself before the panel.

The investigating team, however, ruled out the possibility and moved for a blue corner alert against Mr. Revanna, considering that the investigation is in the early stages and the police are yet to file criminal charges.

The SIT officials told Karnataka Chief Minister Siddaramaiah that they intend to arrest the accused to expedite the investigation as soon as they receive information about his whereabouts.

THE GIST

Prajwal Revanna, sitting MP and grandson of former Prime Minister H.D. Deve Gowda, is accused of sexual abuse, prompting his suspension from JD(S).

Interpol has issued a blue corner notice against him. Blue corner notices are issued for missing persons to gather information about their identity, location, or criminal record for ongoing investigations.

The Special Investigation Team formed by the Karnataka government sought CBI's help in the case, leading to the issuance of the blue corner notice.

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The Hindu- Miscellaneous

Vyjayanthimala, Chiranjeevi receive Padma Vibhushan

Press Trust of India

NEW DELHI

Actors Vyjayanthimala Bali and Konidela Chiranjeevi; the late M. Fathima Beevi, the first woman judge of the Supreme Court; and *Mumbai Samachar* owner Hormusji N. Cama were among the eminent persons given the Padma awards by President Droupadi Murmu on Thursday.

Ladakh's spiritual leader Togdan Rinpoche and-

Tamil actor 'Captain' Vijayakant (both posthumous), BJP leader O. Rajagopal, and Kundan Vyas, group editor and CEO of Gujarati newspaper *Janmabhoomi*, were also given the Padma awards. While 90-year-old Ms. Bali and 68-year-old Mr. Chiranjeevi were given the Padma Vibhushan, Mr. Cama, Mr. Rajagopal, Mr. Vyas, Vijayakant, Rinpoche, and Beevi were given the Padma Bhushan.

- The Padma Awards, one of the highest civilian honour of India, are announced every year on the eve of Republic Day.
- The Awards are given in three categories: Padma Vibhushan for exceptional and distinguished service; Padma Bhushan for distinguished service of higher order and Padma Shri for distinguished service in any field of activity.
- There ought to be an element of public service in the achievements of the person to be selected for these Awards.
- Any person without distinction of race, occupation, position or sex is eligible for these Awards. However, serving Government servants, including those working with PSUs, except Doctors and Scientists, are not eligible for these Awards.
- The Award is not conferred posthumously. However, in highly deserving and rare cases, the Government could consider giving an Award posthumously.

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On Victory Day, Putin says nuclear forces are on alert

Agence France-Presse
MOSCOW

President Vladimir Putin on Thursday warned his nuclear forces were “always” on alert, and added that Moscow would not tolerate any Western threats, during an address on the annual Victory Day parade.

In a defiant speech on Red Square before thousands of soldiers dressed in ceremonial attire, Mr. Putin heaped praise on his Army fighting in Ukraine and accused “Western elites” of fomenting conflicts around the world.

“Russia will do everything to prevent a global clash, but at the same time we will not allow anyone to threaten us. Our strategic forces are always on alert,” Mr. Putin told the crowd.

“Dear friends, Russia is



Vladimir Putin

cult, crucial period. The fate of the Motherland, its future depends on each of us,” he said.

The May 9 parade marks the Soviet Union’s defeat of Nazi Germany in the Second World War and has become Russia’s most important public holiday as Mr. Putin puts the country firmly on a combat footing.

Mr. Putin has used nuclear rhetoric throughout the conflict but has grown increasingly belligerent

of a nuclear test ban treaty and a key arms reduction agreement with the United States.

Nuclear drills

Earlier this week, he ordered the Russian military to hold nuclear drills involving the Navy and troops based near Ukraine, raising fears he could use the powerful weapons on the battlefield.

In comments recorded on Tuesday but released by the Kremlin after the parade, Mr. Putin vowed to modernise his Army’s weaponry and said Russia would use whatever foreign parts it could get to make them.

Mr. Putin has repeatedly framed the current fight against Ukraine as an existential battle against “Nazism”, a message he reiterated in his address

May 9 is celebrated as Victory Day in Russia and several other former Soviet republics. It commemorates the victory over Nazi Germany in World War II and the formal surrender of German forces in Berlin, ending the war in Europe in 1945.

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China's aircraft carrier *Fujian* completes 8-day sea trial

Dinakar Peri
NEW DELHI

China's third aircraft carrier, *Fujian*, has successfully completed its eight-day maiden sea trials. *Fujian* is an 80,000-tonne supercarrier with electromagnetic catapults for launching aircraft, making China the second country after the U.S. to field a supercarrier with this technology.

"During the sea trial, the aircraft carrier tested its propulsion, electrical systems, and other equipment, and achieved the expected results. In the next stage, People's Liberation Army Navy, China (PLAN)

Fujian will conduct follow-up tests according to established plans," according to *China Military Online*, the English language news website of the Chinese People's Liberation Army (PLA). The aircraft carrier set sail for trials from Jiangnan Shipyard in Shanghai on May 01.

The developments will be watched very closely by India and other countries in the region which are also planning to build aircraft carriers as Beijing rapidly expands its maritime power and presence.

Named after East China's Fujian Province and given the hull number 003, the



Setting sail: China's third aircraft carrier, *Fujian*, conducts its maiden sea trial on May 01. AP

carrier was launched in June 2022. Last month, China announced that it is building its fourth aircraft carrier, likely a nuclear-powered supercarrier, to be

na's first aircraft carrier, *Liaoning* was commissioned in 2012 and the second carrier *Shandong* was launched in 2017.

In an interview last

der of Hawaii-based U.S. Indo-Pacific Command (IN-DOPACOM) Adm John Aquilino said that in the three years since he's been in command, China has built more than 400 aircraft, 20 major warships, and doubled its missile inventory.

Indian Navy's carriers

Indian Navy currently operates two aircraft carriers - refurbished Russian carrier *INS Vikramaditya*, commissioned in 2013, and indigenously designed and built *INS Vikrant*, commissioned in September 2022.

In the second half of last

moved the case for a second Indigenous Aircraft Carrier (IAC-II), a repeat of a *Vikrant*-like carrier which has been approved by the Defence Procurement Board last September. It is now awaiting approval by the Defence Acquisition Council, expected to be taken up after the elections.

It will take around eight to 10 years to build a new carrier, Madhu S. Nair, Chairman and Managing Director of Cochin Shipyard Limited, told *The Hindu* as reported earlier, as long as the basic design, engines and propulsion

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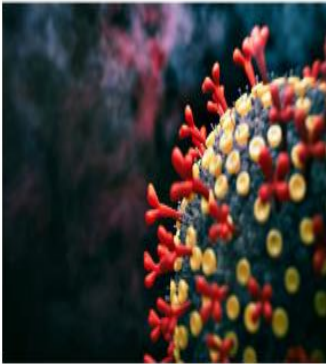
All about FLiRT, the new COVID-19 variants

Saumya Kalia

The COVID-19 cycle is active again with new variants in circulation. KP.2 and KP1.1, are dubbed 'FLiRT' variants, and are descendants of the Omicron JN.1 which spread globally over the winter last year.

The downstream variants are linked to new cases and a small surge in hospitalisation in the U.S., according to the Infectious Disease Society of America (IDSA). FLiRT cases have also soared in the U.K., South Korea and New Zealand, renewing fears of a fresh COVID-19 wave.

The Indian SARS-CoV-2 Genomics Consortium (INSACOG) has detected 238 cases of KP.2 and 30 cases of KP1.1 circulating in India, as of May 6. The new variants appear to outstrip their ancestor and other Omicron variants. KP.2, the more dominant strain of the two, in particular, is believed to leap past immunity built up from vaccines and previous



KP.2 has been detected predominantly in Maharashtra, Odisha, and West Bengal; KP1.1 in West Bengal, Maharashtra and Gujarat; KP.3 in Uttarakhand. GETTY IMAGES

infections.

However, the periodic COVID-19 spikes are routine and to be expected as "COVID-19 will continue to morph into, not an endemic, but a cyclical disease", says Rajeev Jayadevan, co-chairman of the National Indian Medical Association (IMA) Covid Task Force in Kerala. The FLiRT variants reframe COVID-19 management as a longer affair, one that demands sustained surveillance, customising precautions and ensuring universal protection for

the vulnerable.

The FLiRT variants

KP.2 and KP1.1 sublineages are descendants of the JN.1 variant of the SARS-CoV-2 virus with two new added spike mutations. They are nicknamed the FLiRT group of variants; the acronym indicates two specific mutations, which when they occur together, end up conferring greater invasive properties to the virus. The U.S. Centre for Disease Control and Protection says KP.2 accounts for ap-

proximately 25% of new cases as of April 27.

In India, "we can confirm that COVID-19 cases are rising, and KP.2 is a commonly found variant," says Dr. Jayadevan. According to INSACOG, KP.2 has been detected predominantly in Maharashtra, Odisha, Goa and West Bengal; KP1.1 in West Bengal, Maharashtra and Gujarat; KP.3 in Uttarakhand. This is not to say that the variants are not circulating in other regions, but the proactive tracking in these states have identified JN.1's descendants. The symptoms of the new variant are similar to those of other Omicron subvariants: sore throat, cough, nausea, congestion, fatigue, headache, muscle or body ache, loss of taste or smell.

Immune evasive

Researchers at the Kei Sato lab in Japan showed the KP.2 variant had an "increased immune resistance ability... more than previous variants including JN.1". Their preliminary

evidence found that KP.2 was able to escape the immune protection derived not only from the most updated vaccine (the monovalent XBB.1.5 vaccine) but also from the breakthrough infection with JN.1 afterwards. KP.2 has "profound immune evasive properties", notes Dr. Jayadevan. The research, published on the pre-print server *bioRxiv*, showed the variant is thus able to leap over the most recently built immunity fence. More research is needed to understand how deeply and permanently the new mutations evade the immune system, researchers note.

Although immunisation with up-to-date SARS-CoV-2 vaccine produces antibodies recognising JN.1, experience indicates vaccination done earlier is still effective in preventing severe COVID-19 from newer variants. The European Medicine Agency recently recommended "updating COVID-19 vaccines to target the new variant JN.1"

before another round of vaccinations is undertaken. Meanwhile, AstraZeneca on May 7 said it has initiated the worldwide withdrawal of its COVID-19 vaccine due to a "surplus of available updated vaccines" since the pandemic.

In India, experts have also detected a new surge of cases since early April, with approximately one in six tests turning positive, compared to zero in March. With limited testing, however, the exact prevalence and geographic spread are unknown. It is too early to say if all the new COVID-19 cases or hospitalisations are due to KP.2 or KP1.1 in India, explains Dr. Jayadevan. Moreover, increased transmissibility does not necessarily mean the new variants will cause more severe COVID-19 illnesses. Precautions and prescriptions remain similar: maintain hygiene, wear masks in crowded places, stay home if unwell, and vaccinate.

(saumya.k@thehindu.co.in)

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