# The Hindu News Analysis – 08th December 2019 – Shankar IAS Academy

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*C – Chennai; B – Bengaluru; D – Delhi; T – Thiruvananthapuram; H – Hyderabad
Seeking a review of creamy layer reservations

Why does the government want a review of creamy layer reservations?

The Government of India, in its efforts to ensure social justice and equality, has introduced several reservations for disadvantaged groups. However, the creamy layer, defined as those belonging to backward classes who are economically and socially better off, has been a subject of debate. The government's proposal to exclude the creamy layer from reservations is based on a variety of considerations, including the need to ensure that benefits reach the genuine beneficiaries of reservations.

What is the creamy layer?

The creamy layer refers to a group of individuals who are considered to be part of the Other Backward Classes (OBC) community but are economically better off than the rest of the OBC group. This category is often characterized by higher education, better job opportunities, and higher income levels.

What is the government proposal?

The government has proposed to exclude the creamy layer from the benefits of reservations, including educational and employment opportunities. The proposal is based on the principle that benefits should be targeted at those who are most in need, rather than those who are already well-off.

What happened in the Indra Sawhney judgment?

In the Indra Sawhney case, the Supreme Court of India ruled on the issue of reservations for OBCs in educational institutions and public sector organizations. The court held that the creamy layer should also be considered for reservation benefits. However, the court did not provide a clear definition of the creamy layer, leaving it to the discretion of the government to determine who falls within this category.

What is the impact of the proposed exclusion of the creamy layer?

The proposed exclusion of the creamy layer from reservations is expected to affect a significant number of individuals. It is expected to increase the number of genuine beneficiaries who receive reservation benefits, thereby ensuring a more equitable distribution of resources.

Timeline

- Indra Sawhney vs. Union of India, 1992
  - Mandal Case
  - Creamy layer - socially, economically and educationally advanced section of backward classes
  - Judgment
    - 27% reservation to OBC
    - Need creamy layer so that benefits of reservation would reach to members of backward classes who truly need it
  - Economic criteria for creamy layer - Rs. 8 lakh
  - Reservation → only in initial appointments
  - Not in promotions
- Response of Centre
  1) 1995 → 77th Amendment - Introducing Article 16(4A)
  2) 2000 → 81st Amendment - Article 16 (4B)
  3) 2000 → 82nd Amendment amending Article 335
- Response
  - M. Nagaraj case - 2006
    - Upheld validity of Amendments
    - 3 conditions for promotion
      - Community is backward
      - Inadequately represented
      - Efficiency of public administration

Part A—Preliminary Examination
Paper I - (200 marks)
- Current events of national and international importance.
- Indian Polity and Governance-Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues.
- Economic and Social Development

Part B—Main Examination
PAPER-II
General Studies-I: Indian Heritage and Culture, History and Geography of the World and Society.
- Social empowerment, communalism, regionalism & secularism.

PAPER-III
General Studies-II: Governance, Constitution, Polity, Social Justice and International relations.
- Indian Constitution—amendments
- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

PAPER-IV
- Inclusive growth and issues arising from it.
Jarnail Singh Vs Lachhmi Narain Gupta, 2018

- Upheld Nagaraj Verdict
- creamy layer principle based on right to equality
- State cannot grant reservation in promotions
- Struck down the need to provide quantifiable data to prove backwardness

Centre requested S.C. to review its verdict

Measles outbreaks continue unabated: WHO

Both measles and rubella can be prevented by a highly effective vaccine.

Expert Commission report

Children under the age of five accounted for most of the 14,000 people who died from measles in 2002, according to the Commission on Expanded Program on Immunization (EPI) and the Center for Diseases Control and Prevention (CDC) of the World Health Organization (WHO).

Largest campaign under the UNICEF programme in 1998

The largest campaign under the UNICEF programme in 1998 resulted in a 95% reduction in mortality from diseases such as measles and rubella. The campaign reached 30 million children in 21 countries, saving 1.5 million lives. The campaign was followed by a comprehensive review of the programme.

2.3 million children in India unvaccinated for measles

India is second highest, next only to Nigeria with 2.4 million children unvaccinated for measles.

Vaccination campaigns

Campaigns are ongoing and continue to be effective at reducing the number of children who are not vaccinated.

Successful countries

Countries such as India, China, and Brazil have been successful in reducing the number of children who are not vaccinated through effective vaccination programmes.

World Health Organization

The World Health Organization (WHO) recommends that countries strive to achieve a coverage of at least 90% for the first dose of vaccines to prevent measles, rubella, and other vaccine-preventable diseases.

Effective strategies

Effective strategies include increasing awareness about the importance of vaccination, improving access to vaccination services, and ensuring that vaccination coverage is maintained over time.

The future

The future of measles vaccination is promising, with ongoing efforts to improve access to vaccines and to increase vaccination coverage in all countries.

Preliminary Examination

Part A—Preliminary Examination

Paper I - (200 marks)

- Current events of national and international importance.
- Economic and Social Development - Sustainable Development, Poverty, Inclusion, Demographics, Social Sector Initiatives, etc.
- General Science.

Part B—Main Examination

Paper II

General Studies-II: Governance, Constitution, Polity, Social Justice and International relations.

Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.
**Measles**

- Caused by a virus - Paramyxovirus
- Humans are natural hosts to the virus
- Highly contagious disease
- Human-to-human transmission of measles is possible
  - Infected individual → Droplets from Nose → Healthy individual
  - Mouse → Throat
- Spreads by sneezing or coughing

**Symptoms**
- Fever
- Conjunctivitis
- Cough
- Common Cold [Coryza]
- Possibility of serious health complications
  - Blindness
  - Ear infections
  - Encephalitis
  - Pneumonia, etc.
  - Severe diarrhoea
- Severe measles more likely in children
  - Poorly nourished (Insufficient Vitamin-A levels)
  - Weakened immune system due to HIV/AIDS and other diseases

**Prevention → Vaccination**

- Measles - Rubella (MR) Vaccine
- Administered to children in two doses
  - 1st dose - on completion of 9 months
  - 2nd dose - 16-24 months

**India intends to eliminate Measles by 2020**

**Reasons**

- Poor vaccination coverage
- Large pocket of unvaccinated children resulted in Measles outbreaks even in countries
  - that had huge coverage rates
  - had previously eliminated the disease
- Others
  - Hard-to-reach areas
  - Security situation
  - Conflicts
  - Breakdown in services
  - Mindset due to complacency, mistrust, misinformation about vaccines

**Most of the people died from Measles in 2018 - Children**
Second news article

- Number of children under 1 year of age - not vaccinated against measles is alarmingly high in six countries (in 2018)

- Nigeria - 2.4 million
- India - 2.3 million
- Pakistan - 1.4 million
- Ethiopia, Indonesia, Philippines

Personal income tax rate may be cut

GST rates have to be rationalised eventually and the entire tax system has to be simplified, says FM

Part A—Preliminary Examination

Paper I - (200 marks)

- Current events of national and international importance.
- Economic and Social Development - Sustainable Development, Poverty, Inclusion, Demographics, Social Sector Initiatives, etc.

Part B—Main Examination

PAPER-IV

General Studies-III: Technology, Economic Development, Biodiversity, Environment, Security and Disaster Management

- Indian Economy and issues relating to planning, mobilization, of resources, growth, development and employment.
Measures to address the slowdown in Indian economy:

- GDP for Q2 of 2019-20: 4.5% → 25 quarter low
- Boost economic activity and consumption
  - Banks disbursed ₹5 lakh crore in last 2 months
  - Spending in infrastructure
- Corporate tax cut
  - 30 to 22% for existing companies
  - 25 to 15% for new companies
- ₹1.45 lakh crore tax break → reduction in total government revenue
- Rationalization of the personal income tax rate
  - Ensure more compliance
  - No harassment by tax authorities

Demand for reduction in personal income tax will boost consumption

Rationalisation of GST rates

India, U.S. will conclude trade talks soon, says USISPF chief

Outstanding trade issues between India and the U.S. are moving towards resolution, and the first quarter of 2020 will see both countries conclude ongoing talks, Mukesh Agnihotri, President and CEO of the U.S.-India Strategic Partnership Forum (USISPF), has said.

No announcement of an agreement could be made during Prime Minister Narendra Modi's visit to the U.S. in September.

Mr. Agnihotri said signals from India and America indicate convergence on contentious trade issues that have derailed bilateral ties.

"I am confident that both countries are moving towards resolution on our terms of preference (GSP) for India and the resolution of the price cap dispute related to American medical devices in India," Mr. Agnihotri said. India is open to the idea of moving the Trade Margin Rationalization (TMR) regime for price control on imported medical devices, as being demanded by American manufacturers.

Mr. Agnihotri said after the outstanding issues are resolved, the two could move towards a partial Free Trade Agreement. India's decision to move away from the TPP has been positively received by American policy makers.
News

- India open to the Trade Margin Rationalization regime for price control on imports

- Trade Margin Rationalization (TMR), as an alternative to price regulations on the imported medical devices by the National Pharmaceutical Pricing Authority (NPPA)

- Feb 2017 → NPPA for first time cut the prices of life-saving coronary stents by 85%.

- India’s price control regime → operates under Drug Prices Control Order (DPCO)

- Issued under Essential Commodities Act

- Implemented by NPPA

- Aug 2017 → NPPA slashed prices of knee implants by 65 to 69%.

- U.S. medical manufacturers → "price capping" would hinder innovation and quality healthcare

- From 5th June 2019 → America’s Generalised System of Preferences for Indian exporters was withdrawn

Trade Margin Rationalization Regime (TMR)

* Regulation of the prices based on the capping on the "trade margin" in the entire trade chain

* From the first point of sale to the last point of sale

Challenges

* Price of the product sold by the manufacturers
* fixing the ‘trade margin’
* Monitoring the system

⇒ TMR, if implemented effectively can improve transparency in the retail chain of the medical devices
Practice Question – Prelims

Q1. Consider the following statements.

1. Both Measles and Rubella infections are viral infections.
2. One of the targets under the Sustainable Development Goals Framework is to end preventable deaths of new borns and children under 5 years of age by 2030.
3. Measles is a communicable disease.
4. India, along with other WHO-SEAR countries, has resolved to eliminate measles and control rubella/congenital rubella syndrome (CRS) by 2020.

Which of the above statements is/are correct?

(a) 1, 2 and 4
(b) 1, 2 and 3
(c) 2, 3 and 4
(d) 1, 2, 3, 4

Practice Questions – Prelims Answers

08-12-2019

1. Option (d) 1, 2, 3, 4
2. Option c) 1 and 3 only
Practice Question – Prelims

Q2. Consider the following statements regarding reservation for members of the Scheduled castes and the Scheduled Tribes in public employment.

1. Article 335 states that the claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration.

2. In 2018, in the Jarnail Singh versus Lachhmi Narain Gupta case, the Supreme Court opined that the creamy layer principle should not be made applicable to members of SC/ST in matters of promotion.

3. The 82nd Constitutional Amendment Act, 2000, enabled the government to make any provision in favour of the members of the Scheduled Castes and the Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State.

Select the correct statement(s) from the codes given below.

a) 1 and 2 only
b) 2 and 3 only
c) 1 and 3 only
d) 1, 2 and 3