



Detailed News Articles: 20 May 2019

May 20, 2019 Shiksha IAS Academy

1. [HC: United Nations not a State under Article 12](#)

The Delhi High Court has ruled that the United Nations is not a State under Article 12 of the Constitution of India and is not amenable to its jurisdiction under Article 226 of the Constitution.

Background:

- A former UNO employee, found guilty of misconduct was convicted by a US Federal Court and sentenced to 97 months of imprisonment and two years of mandatory probation.
- He was released and deported to India in May 2014.
- In his petition, he claimed that due process was not followed in his case.
- He had in November 2018, written a letter to the Ministry of External Affairs seeking a grant of permission to initiate legal action against the United Nations Organization (UNO) under section 86 of Civil Procedure Code, 1908.
- The provision provides that a foreign State may be sued in any Court with the consent of the Central government.

Contention:

- Petitioner argued, amongst other arguments, that the Latin maxim **Ubi jus ibi remedium** which means that **if there is a right, then there must necessarily be a remedy attached to it** is a settled law that no one should be left remediless and the petitioner has exhausted all his remedies and has made all possible efforts to invoke the prescribed provisions for appeal on due process.
- And that was the reason of his petition before the court as the last resort for direction to respondents' for their failure to follow due process of law in petitioner's case.
- It was also argued that Section 2 of Article II of the Schedule of the Act, 1947 which gives blanket immunity to UNO to waive its immunity is something which makes respondent it a judge in its own cause and is, therefore, against the basic tenets of justice delivery system.
- The petitioner was seeking to invoke the writ jurisdiction of the Court for the purpose of non-adherence of the due process which the UNO was bound to follow in order to ensure free and fair disciplinary process of the petitioner who was a serving officer with it.

Details:

- The Ministry replied that the consent of the Government of India is not required to initiate a legal suit against UNO as it is not a foreign state and is only an International Organization.



- It, however, said UNO and its officials enjoy immunity under the United Nations (Privileges and Immunities) Act, 1947.
- It also said as per Section 2 of Article II of the Schedule of Act, 1947, UNO has immunity from every form of legal process except insofar as in any particular case it has expressly waived its immunity.

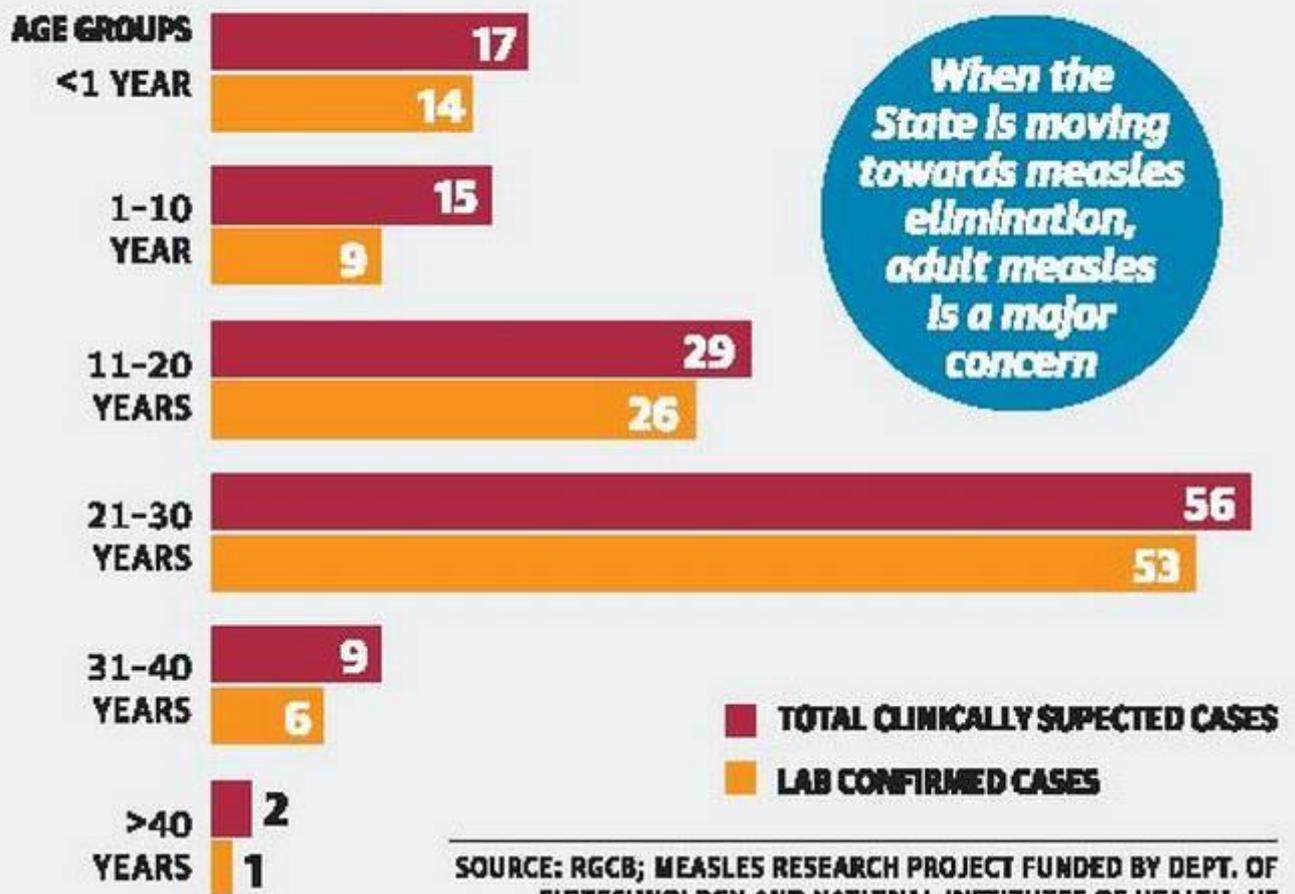
Conclusion:

- It was observed by Justice Suresh Kumar Kait that the immunity granted is all comprehensive and applicability of any national law is subject to the waiver of the immunity by respondent.
 - As respondent has not waived the said immunity, the clause relating to the observance of national laws will be of no help to the petitioner.
 - Once this is the position in law, other arguments advanced by the petitioner which are founded on the premise that respondent is under an obligation to obey the laws of India, also lose their force.
2. [State witnesses surge in measles cases](#)



Cause for concern

Measles cases sampled at RGCB from January-April 2019



The current global resurgence in measles is having its resonance in Kerala too, which has been witnessing a serious surge in the disease.

Measles:

- Measles is also known as rubeola or red measles.
- It is a highly contagious respiratory infection caused by a virus which causes a rash all over the body.
- Measles could be spread through infected mucus and saliva.
- It is the primary disease that leads to the death of children.
- Symptoms generally appear within 14 days of exposure to the virus. General symptom of the measles is body rash but before that, there are few more



symptoms which could help to detect measles. Fever, hacking cough, red eyes, muscle pains, running nose, sore throat and sores inside the mouth.

- Measles, if not treated properly can lead to chronic complications like pneumonia, encephalitis etc. The other complications may include Bronchitis, reduction in blood platelets, severe diarrhea, sometimes even blindness.
- The measles vaccine is effective at preventing the disease, and is often delivered in combination with other vaccines.

Details:

- Kerala reports around 600 plus cases of measles every year. This year, as many cases have been reported in the first four months itself, with over 50% cases in the 19-40 year age group.
- There are also cases in the less than nine months age group, but fewer cases than before in the 1-5 years group.
- Majority of the cases are reported from Thiruvananthapuram, which has good vaccination coverage and amongst people who are well-nourished and have received at least one dose of vaccine in their lifetime.

Issue:

- When universal routine immunisation in childhood improves and the virus is still in circulation, the disease will naturally move to the older age group who may be unimmunised or whose vaccine-derived immunity has begun to wane.
- At a time when the State is moving towards measles elimination, adult measles is a major concern.
- Historically, measles has been a childhood disease.
- The epidemiological shift to older population presents new public health challenges because of the increased severity of the disease, especially in vulnerable populations like pregnant women and immunocompromised patients (HIV, organ transplant recipients on immunosuppressants, cancer patients), who cannot be vaccinated with the live attenuated measles vaccine.
- The changing epidemiology of measles has not just brought forth the several unknowns but also raised important questions on whether adult immunisation should be a policy, on vaccine potency and the adequacy of vaccine immune response.
- Though measles vaccine is highly immunogenic, as part of the national measles elimination strategy, a mandatory second dose at 15-18 months was introduced in 2010, so that there is better immune protection.
- It is fairly certain that those currently in the 18-40 years age group have not had the protection of the second dose and may be one reason for the increase in cases in this age group.
- The first vaccination age for measles has been fixed at nine months because till then, the maternal antibodies transferred in utero are supposed to afford



protection to the child. If vaccinated earlier, the maternal antibodies might interfere with the immune response to vaccine.

- However, at Rajiv Gandhi Centre for Biotechnology, where studies are being carried out for testing the efficacy of measles vaccination in South India, it has been reported that children under the recommended vaccination age of nine months are highly susceptible to measles.

Conclusion:

Given measles' age shift to older age group, questions such as "Should the vaccination age be moved to 12 months for better vaccine response?", "Is a third dose of MMR (mumps-measles-rubella) necessary?", "Should it be recommended that all adults be given a dose of MMR as the virus is still in circulation?": need to be looked at from a research perspective by the State/National Technical Advisory Group on Immunisation.

3. [Long-term plans to fight pollution gathering dust](#)

Air pollution level in Delhi nosedived last week and stayed in the 'very poor' category for two days partly due to dust storms and also because of non-implementation of long-term plans to fight pollution. Despite having a Comprehensive Action Plan for Delhi-NCR, many measures still remain on paper.

Issues:

- The top 14 most-polluted cities in the world are located in India, according to the World Health Organization; Delhi ranks six.
- Air pollution has been linked to lung cancer, stroke and heart disease. In 2017, 1.24 million people died in India due to air pollution, according to a study funded by the Indian government and the Bill & Melinda Gates Foundation.
- Cardiovascular diseases and respiratory diseases kill the most number of people in the Capital and air pollution plays a "major role" in both.
- Authorities responsible for controlling air pollution have been pulled up multiple times by the Supreme Court in the past. But there is no respite from the pollution.
- It is believed that multiplicity of agencies involved — Central government, State governments, municipal bodies — also affects the implementation of plans.
- Though dust is a major cause of pollution, little has been done across Delhi to prevent dust from rising in the air, in terms of landscaping of roads or by planting shrubs, trees and grass along the sides of roads.
- There are three waves of pollution that happen in Delhi. One during the summer, that is mainly due to dust from other areas. Another during October November, when the stubble burning happens and wind speed is less, and the



third during December due to temperature inversion. These are mainly due to meteorological conditions, which can be mitigated, but cannot be stopped.

Comprehensive Action Plan and Graded Response Action Plan:

- Following Supreme Court directions, in 2018, the Central Pollution Control Board came out with CAP for Delhi and the National Capital Region.
- CAP is a long-term plan which lays down systemic changes to be implemented to fight air pollution.
- CAP differs from other plans, as it fixes responsibilities of works to be done on different agencies and also issues deadlines.
- It divides the works to be done, along with deadlines into 12 major areas like air quality monitoring, action to reduce vehicular emissions, control measures for road dust, among others.
- GRAP is a set of emergency measures to be implemented to control air pollution, according to day-to-day air quality index.

Way forward:

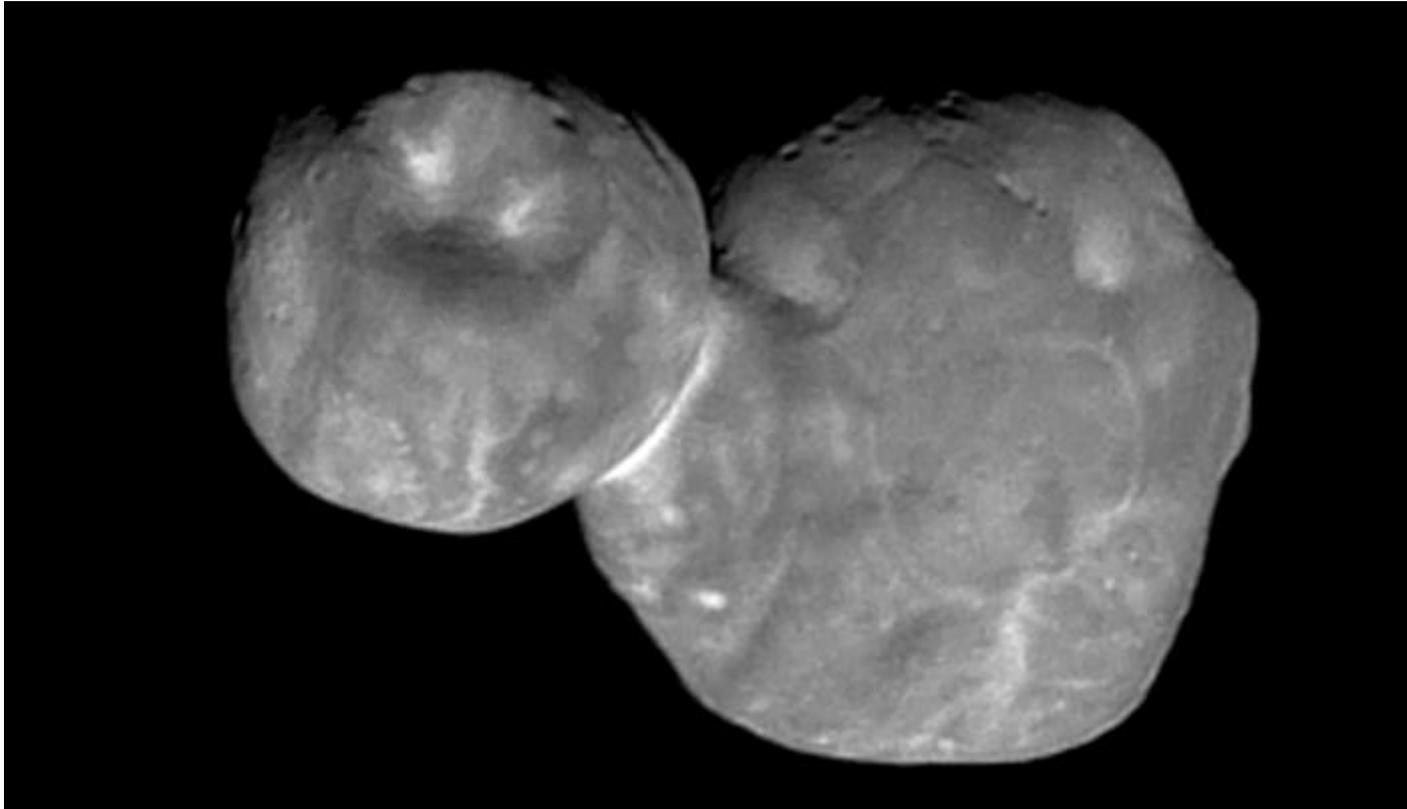
- Experts say that improving public transport, dust control and waste management are the main areas in which Delhi has been lacking.
- Vehicular pollutants are a major cause of pollution and improving public transport would encourage people to use it and lead to less vehicles on road and lesser pollution.
- Another area that needs attention is cooperation with neighbouring States.
- The plans are in place. The need of the hour is implementation with strong political and public support. It is a question of implementing it on a scale that is needed and with strong level of stringency.

4. [Evidence of water found on Ultima Thule: NASA](#)

NASA has found evidence of a unique mixture of methanol, water ice, and organic molecules on Ultima Thule's surface — the farthest world ever explored by mankind.

Ultima Thule:

- Ultima Thule is a trans-Neptunian object located in the Kuiper belt.
- It is a contact binary, with two distinctly differently shaped lobes.
- The lobes likely once orbited each other until some process brought them together in what scientists have shown to be a “gentle” merger.
- At about 36 kilometers long, Ultima Thule consists of a large, strangely flat lobe — nicknamed “Ultima” — connected to a smaller, somewhat rounder lobe — dubbed “Thule” — at a juncture.



Details:

- The U.S. space agency has published the first profile of Ultima Thule — an ancient relic from the era of planet formation — revealing details about the complex space object.
- Researchers are also investigating a range of surface features on Ultima Thule, such as bright spots and patches, hills and troughs, and craters and pits.
- The largest depression is a 8-kilometer-wide feature the team has nicknamed Maryland crater — which likely formed from an impact.
- Some smaller pits on the Kuiper Belt object, however, may have been created by material falling into underground spaces, or due to exotic ices going from a solid to a gas and leaving pits in its place.
- In colour and composition, Ultima Thule resembles many other objects found in its area of the Kuiper Belt. Its reddish hue is believed to be caused by modification of the organic materials on its surface.
- New Horizons continues to carry out new observations of additional Kuiper Belt objects it passes in the distance.



New Horizons set for most distant

Jan 1 flyby of Ultima Thule, an icy body in the Kuiper Belt

New Horizons

Launch: Jan 2006

Flyby of Pluto 2015

New Horizons



Ultima Thule

Planetary

Su

U

Neptun

Pluto



5. [Anaemia is a public health emergency that needs to be addressed immediately](#)
India has been able to dramatically reduce the number of people living in extreme poverty from 306 million people living on less than \$1.90 (on a PPP basis) a day in 2011 to 48 million today. However, it is puzzling as to why the country has been unable to show a similar dynamism in its record against malnutrition.

The situation regarding malnutrition in the country

- Despite major government interventions — including providing highly subsidised foodgrains to the poorest 67 per cent of the population under the National Food Security Act (NFSA), a free Mid-day Meal Scheme (MDM) that targets around 100 million students in government schools and a supplementary nutrition programme through the ICDS network — **the country is home to the largest number of malnourished children in the world.**
- In the decade between 2005-06 and 2015-16, stunting declined at the rate of 0.9 per cent per annum.

Anaemia is widespread

- Though anaemia among children has declined, it affects every second child in the country.
- There has been no perceptible decline in anaemia among 15 to 49-year old women; it affects around 60 per cent of them. This public health emergency needs to be addressed immediately.

Reasons for widespread anaemia

- **Poverty, gender disparity, poor sanitation, low health and nutrition service coverage and poor nutritional intake — particularly an iron-deficient diet — continue to impede our fight against anaemia.**
- The daily consumption of **iron rich dark green leafy vegetables has reduced from 64 per cent to 48 per cent** of the population in the last decade.
- Many, in fact, argue that the NFSA's focus on wheat and rice has **forced millets — traditional source for iron and minerals — out of the market.**
- The government's iron supplementation programme to overcome IDA has led to **only 30 per cent of pregnant women consuming iron and folic acid tablets.**
- This compels us to think of simpler and effective strategies like fortification of food staples with essential micronutrients like iron and vitamin.

Food fortification as a solution

- Food fortification is a largely-ignored, yet critical, strategy which has proved an **effective, affordable, scalable** and sustainable intervention in many countries.
- India too has tested this idea when it successfully tackled the widespread problem of goitre by **mandating iodised salt in 1962.**



- As there are numerous programmes to address malnutrition, this simple idea of fortifying meals has the potential to reach every segment of the population.
- The **Women and Child Development and Human Resource Development ministries have issued advisories to the states to mandatorily use fortified wheat flour and edible oil in ICDS and MDM.**

Fortification of Rice

- Supply of fortified rice through a network of fair price shops is a **cost-effective intervention to address anaemia across all sections of the population.**
- Evaluations in **Odisha's Gajapati district, which experimented with fortified rice in MDM, found that the incidence of anaemia has reduced by 20 per cent** between 2012 and 2015, of which 6 per cent reduction can be directly attributable to fortification.
- The Department of Food and Public Distribution, facilitated by the NITI Aayog, has recently launched a centrally-sponsored scheme on rice fortification in PDS.

Conclusion

Dependence on political will – A successful pan-India scale up of fortification will depend on many factors — the political will of state governments, flexibility to allow states to adapt the fortification model to their procurement and distribution systems and capacity building of different stakeholders.

Strengthening role of FSSAI – The FSSAI's role, its enforcement machinery and the quality control labs needs to be strengthened.

Generation of awareness among people -Lastly and most crucially, sustainability of fortification depends on the regular consumption of fortified food by the consumers and thus a comprehensive state specific strategy should be developed to generate awareness among the consumers.

Thank you!