

NATIONAL SOCIAL ISSUES- WOMEN, POPULATION, URBANISATION, EMPOWERMENT ETC**NPPA caps prices of 9 non-scheduled drugs**

National Pharmaceutical Pricing Authority(NPPA) has capped the prices of 9 non-scheduled cancer drugs by up to 87%, capping their trade margin at 30%. The new list of drugs is in continuation to the government's efforts to curb profiteering on these vital drugs.

Background:

- The NPPA currently fixes price of drugs on the National List of Essential Medicines under schedule-I of DPCO. So far, around 1,000 drugs have been price-capped through this mode.
- The trade margin rationalisation has been rolled out as proof of concept, stressing on the new paradigm of self-regulation by the industry.

What is the "Drugs (Prices Control) Order (DPCO)" ?

- The Drugs Prices Control Order, 1995 is an order issued by the Government of India under Sec. 3 of Essential Commodities Act, 1955 to regulate the prices of drugs.
- The Order interalia provides the list of price controlled drugs, procedures for fixation of prices of drugs, method of implementation of prices fixed by Govt., penalties for contravention of provisions etc.
- For the purpose of implementing provisions of DPCO, powers of Govt. have been vested in NPPA. Later, the Drugs (Prices Control) Order (DPCO) 2013 was notified.

Why the DPCO is issued under Essential Commodities (EC) Act ?

- Drugs are essential for health of the society. Drugs have been declared as Essential and accordingly put under the Essential Commodities Act.

Are all the drugs marketed in the country under price control ?

- No. The National List of Essential Medicines (NLEM) 2011 is adopted as the primary basis for determining essentiality, which constitutes the list of scheduled medicines for the purpose of price control. The DPCO 2013 contains 680 scheduled drug formulations spread across 27 therapeutic groups. However, the prices of other drugs can be regulated, if warranted in public interest.

What is NPPA and its role ?

- National Pharmaceutical Pricing Authority (NPPA), was established on 29th August 1997 as an independent body of experts as per the decision taken by the Cabinet committee in September 1994 while reviewing Drug Policy.
- The Authority, interalia, has been entrusted with the task of fixation/revision of prices of pharmaceutical products (bulk drugs and formulations), enforcement of provisions of the Drugs (Prices Control) Order and monitoring of the prices of controlled and decontrolled drugs in the country.

Why are the prices of medicines rising ?

The reasons for rise in the prices of medicines are :

- rise in the price of bulk drugs;
- rise in the cost of excipients used in the production of medicines like Lactose, Starch, sugar, glycerine, solvent, gelatine capsules etc.;
- rise in the cost of transport, freight rates;
- rise in the cost of utilities like fuel, power, diesel, etc.;
- for imported medicines, rise in the c.i.f. price and depreciation of the Rupee;
- changes in taxes and duties.

CONSTITUTION AND POLITY**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 plea was filed by a former UNO employee who was found guilty of misconduct.
- The petitioner 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.

What's the issue now?

- 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.

Immunity available to UNO:

- 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 Internal Organization.
- UNO and its officials enjoy immunity under the United Nations (Privileges and Immunities) Act, 1947.
- 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. The immunity granted is all comprehensive and applicability of any national laws are subject to the waiver of the immunity by respondent no.2 (UNO).

About UNO:

- The United Nations is an international organization founded in 1945. It is currently made up of 193 Member States. The mission and work of the United Nations are guided by the purposes and principles contained in its founding Charter.
- States are admitted to membership in the UN by a decision of the General Assembly upon the recommendation of the Security Council.
- The main organs of the UN are the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the UN Secretariat. All were established in 1945 when the UN was founded.

INTERNATIONAL AFFAIRS- BILATERAL, GROUPINGS, ORGANISATIONS

Moral ambiguity on the Rohingya

India's abstention from voting on a UN Human Rights Council draft resolution, in March this year, on the "situation of human rights in Myanmar" needs closer examination. Co-sponsored by the European Union (EU) and Bangladesh, the resolution "expresses grave concern at continuing reports of serious human rights violations and abuses in Myanmar", particularly in Rakhine, Kachin and Shan States, and calls for a full inquiry into these by the Council's own mechanism and the International Criminal Court (ICC).

Indian stand on the issue

- In its follow-up explanatory statement, India's permanent representative to the UN in Geneva, Rajiv Kumar Chander, said that it would "only be counter-productive" to support "extensive recommendations regarding legislative and policy actions" and "threatening Myanmar with punitive action, including at the ICC, to which that state is not a signatory".
- "India, for its part, continues to maintain ties with the Myanmar armed forces (Tatmadaw), supplying them with combat hardware and imparting UN peacekeeping training.
- An edition of the India-Myanmar bilateral army exercise, IMBEX 2018-19, took place this January at Chandimandir.

Arms and business ties

- According to the arms transfer database of the Stockholm International Peace Research Institute (SIPRI), India is one of Myanmar's top arms suppliers, and weapons sales includes military aircraft, artillery, naval vessels and reconnaissance equipment, armoured vehicles, anti-submarine torpedoes and missiles.
- One analysis by the Dutch advocacy group, Stop Wapenhandel (Stop Arms Trade), claims that India transferred combat equipment in violation of international embargoes.
- India's core logic here is to "modernise" the Tatmadaw with the intent of securing its 1,640-km plus border with Myanmar and forge a sustainable strategic partnership at China's doorstep.
- But, in this inflexible realpolitik approach, there is little space for end-user accountability and human rights.

Through Dhaka's lens

- India's soft, backfoot approach is being increasingly seen by Bangladesh, which is hosting nearly a million Rohingya refugees, to be tilted in Myanmar's favour.
- Bangladeshi journalist Humayun Kabir Bhuiyan argues that "Indian policy regarding the Rohingya crisis has always favoured Myanmar."

Alternate ways

- Instead of just pushing one-time economic aid into Bangladesh and Myanmar, India could have forged a regional 'compact', much like the Jordan Compact on Syria, to ensure sustained

humanitarian assistance in addressing the short- and long-term needs of the displaced Rohingya population.

- This would have ensured uniform donor interest and better monitoring of where aid is going to.
- Using the geo-economic leverage that it enjoys with Myanmar, India could compel Myanmar to bring the alleged perpetrators of war crimes to book or at least get a guarantee that such conduct would not be repeated in the future.

Conclusion: For now, India is happy to be in a stable, but morally tenuous, friends-with-benefit relationship with Myanmar. The victims continue to be the stateless Rohingya.

ENVIRONMENT- CONSERVATION, BIO-DIVERSITY AND ISSUES

BRS Conventions

The 14th meeting of the Conference of the Parties (COP) to Basel Convention (COP 14) was held along with the 9th meeting of the COP to Rotterdam Convention and the 9th meeting of the COP to Stockholm Convention in Geneva, Switzerland. Theme: “Clean Planet, Healthy People: Sound Management of Chemicals and Waste”.

Overview:

Basel Convention: The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was created to protect people and the environment from the negative effects of the inappropriate management of hazardous wastes worldwide. It is the most comprehensive global treaty dealing with hazardous waste materials throughout their lifecycles, from production and transport to final use and disposal.

Rotterdam Convention: The Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous Chemicals and Pesticides in international trade provides Parties with a first line of defence against hazardous chemicals. It promotes international efforts to protect human health and the environment as well as enabling countries to decide if they want to import hazardous chemicals and pesticides listed in the Convention.

Stockholm Convention: The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from highly dangerous, long-lasting chemicals by restricting and ultimately eliminating their production, use, trade, release and storage.

Outcomes of the recent meeting:

- In Basel Convention on Control of Transboundary Movement of Hazardous Wastes and their Disposal, two important issues were mainly discussed and decided i.e. technical guidelines on e-waste and inclusion of plastic waste in Prior Informed Consent (PIC) procedure.
- In Stockholm Convention on Persistent Organic Pollutants (POP), COP decided to list “Dicofol” in Annex A (Elimination) without any exemption. The “PFOA”, (Perfluorooctanoic acid) was also listed with some exemptions in Annex A of Stockholm Convention.
- In Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, two new chemicals named Phorate and HBCD (hexabromocyclododecane) were added in list for mandatory Prior Informed Consent (PIC) procedure in international trade.

BRS Conventions – Brief Background:

- The Basel, Rotterdam and Stockholm (BRS) Conventions are multilateral environmental agreements, which share the common objective of protecting human health and the environment from hazardous chemicals and wastes.

Aim: This “synergies process” aims to strengthen the implementation of the three conventions at the national, regional and global levels by providing coherent policy guidance, enhancing efficiency in the provision of support to Parties to the Conventions, reducing their administrative burden and maximising the effective and efficient use of resources at all levels, while maintaining the legal autonomy of these three multilateral environmental agreements.

QUOTE OF THE DAY

Ask yourself if what you are doing today is getting you closer where you want to be tomorrow.

DAILY ANSWER WRITING PRACTICE

Qns: What is the BRS Convention? Throw light on the outcome of its recent meeting.

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DAILY CURRENT AFFAIRS BASED MCQS

1. Which of the following statements is/are incorrect about the National Pharmaceutical Pricing Authority (NPPA) and Drugs Prices Control Order (DPCO)
 1. NPPA is a statutory regulatory agency.
 2. Apart from fixing selling price of the pharmaceutical products, it also enforces provisions of the DPCO.
 3. All the drugs marketed in India are under DPCO.Select the correct answer from the codes given below.
 - (a) 1 and 2
 - (b) 1 and 3**
 - (c) 2 and 3
 - (d) All of the above
2. Consider the following statements w.r.t Article 12 of the constitution.
 1. It defines the State as the legislative and executive organs of Central and State Govts.
 2. It has the same definition as the Article 36 of the constitution.
 3. Delhi High Court, recently denied considering the UNO as a State.Which of the above statements is/are correct?
 - (a) 1 and 2
 - (b) 1 and 3
 - (c) 2 and 3
 - (d) All of the above.**
3. Which of the following statements is/are correct about the UNO?
 1. States are admitted to membership in the UN by a decision of the General Assembly upon the recommendation of the Security Council.
 2. All the organs of the UNO were established in 1945 when the UN was founded.Select the correct answer from the codes given below:
 - (a) 1 only
 - (b) 2 only
 - (c) Both 1 and 2
 - (d) Neither 1 nor 2
4. Consider the following statements about Rohingyas:
 1. Rohingya is ethnic minority group, largely comprising Muslims living primarily in Myanmar's western Rakhine state.
 2. They speak Urdu dialect, as opposed to commonly spoken Burmese language in Myanmar.Select the correct answer using the code given below:
 - (a) 1 only**
 - (b) 2 only
 - (c) Both 1 and 2
 - (d) Neither 1 nor 2
5. Which of the following pairs of Conventions and their mandates is/are correct?
 1. Basel Convention: Hazardous Wastes and their Disposal
 2. Rotterdam Convention :Hazardous Chemicals and Pesticides
 3. Stockholm Convention: Persistent Organic PollutantsSelect the correct answer using codes given below:
 - (a) 1 and 2
 - (b) 1 and 3
 - (c) 2 and 3
 - (d) All of the above**