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J&J Faulty Hip Implants

The government has constituted a central expert committee and also asked states to form separate committees to determine the quantum of compensation and also to identify patients who have received the faulty implant by Johnson and Johnson (J&J) Pvt.

- States have been asked to take out advertisements in newspapers so that affected patients can approach the committees.
- The state level committees will evaluate the claim made by patients from disability and suffering caused from using the device.
- The total compensation will be decided by the central committee on the basis of the base amount and loss of wages.
- In 2017, the health ministry formed an investigative committee under the chairmanship of Dr Arun Agarwal, former dean of Maulana Azad Medical College, which suggested at least ₹20 lakh be paid each patient.
- At present there are no specific legal provisions to provide compensation to patients in such cases.

Hip Replacement

- In total hip replacement, all components of hip joints are replaced with prosthetic components.
- Prosthetic components are made of strong plastic, metal or ceramics.
- The commonest hip implants are metal on polythene, and ceramic on polythene.

Concern over Hip Replacement

- DePuy, a subsidiary of Johnson & Johnson (J&J), engineered a hip replacement device that used metal in prosthetic components, commonly called "Articular Surface Replacement or ASR hip implant".

- This device soon turned toxic, owing to the release of metal debris, resulting in inflammation, tissue damage and profound pain.
- This issue was brought to notice in 2005 but it was ignored by DePuy.
- Australia, which had approved the product in 2004, was the first to take regulatory action against ASR and it was removed from the Australian market in 2009.
- So DePuy clearly had knowledge of this problem by then. Yet it issued a global product recall only in 2010. However, it renewed its Indian import licence in 2010 — just a few months prior to the global product recall.
- More unfortunately though, it took a full three years for the Indian drug regulator (Central Drugs Standard Control Organisation, or CDSCO) to issue a product alert.
- Currently as per CDSCO report notes over 3,600 patients with the faulty implants remain untraceable.

Way Forward

- Pharmaceutical companies which provide medicines for health of the consumers have a special duty of care towards them which should be adequately performed.
 - Swift action should be taken by the Government to penalise DePuy so that it will set right precedent for the unethical companies who play with the life of people.
 - Fair compensation for the pain, suffering, disability and loss of work should be provided to victims rather than only providing reimbursement for replacement as done by DePuy in revision surgeries.
 - Further the regulatory mechanism should be strengthened so that such incidents don't occur again.
 - CBI enquiry should be taken up as recommended by former drug commissioner.
 - Some actions are pending before Indian courts and consumer fora need to be consolidated and fast tracked.
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Poll Panel to Brainstorm on Key Issues

The Election Commission is conducting a multi-party meeting with seven national political parties and 51 State political parties to discuss issues such as limiting of expenditure and increasing participation of women etc for bringing further electoral reforms.

Key Issues to be Discussed

- Section 126 of the Representation of the People Act (RPA), 1951 prohibits **canvassing during the last 48 hours** before polling is concluded to stop the parties and candidates to sway the voters by last-minute appeals. So the Commission has sought suggestions on how to address the **issue of online canvassing on social media** during the last 48 hours.

- Section 126(1)(b) lists mediums in which **display of election matter** is prohibited **during the last 48 hours** which includes television, cinematograph similar apparatus. So the Commission has asked the parties if the **print media** should be brought within the ambit of this section.
- The present election laws only provide a limit on a candidate's expenditure. So the Commission has asked political parties on whether there should be a **ceiling on party election expenditure**.
- Further Commission wants to know the views of political parties on bringing a **ceiling for expenditure in the Legislative Council elections** as huge amounts of unaccounted money is often spent by the candidates.
- The Commission has raised the issue of **voting for domestic migrants and absentee voters** and asked the parties to take note of alternative modes of voting for domestic migrants and absentee voters, such as **postal, proxy and e-voting**.
- The Commission has raised the concern regarding poor **representation of women in the Lok Sabha** as there are only about **11.9% women in the 16th Lok Sabha** substantially lower than the average of 22.9%.
- The **Women's Reservation Bill 2008** has lapsed in the Parliament which proposed to amend the Constitution to **reserve 33% of all seats** in the Lok Sabha, and in all state legislative assemblies for women.
- Similar Bills for women's reservation have been introduced thrice before in the late 90's but lapsed with the dissolution of their respective Lok Sabhas.

Suggestions by Election Commission

- For **ceiling on party expenditure** the Commission has written to the Law Ministry that it should be either 50 % of or not more than the expenditure ceiling limit provided for the candidate multiplied by the number of candidates of the party contesting the election.
- The Commission has proposed measures to ensure that **no migrant worker is left out** which includes linking voter ID and Aadhar, one-time voluntary registration system for domestic migrants, electoral support services for migrants, raising awareness and a helpline for domestic migrants.
- The Commission has asked the measures that political parties can undertake to encourage enhanced **representation of women** within the organization structure of the political party.
- The Commission has said that at least seven countries like Sweden, Argentina etc including **Nepal have laws reserving seats for women in legislature**. Further Argentina, **Bangladesh**, Bolivia, Mexico, France and Spain have laws providing for **quotas for women in candidate lists of political parties**.

Steps taken by Online Platforms

Google and Facebook will help the Election Commission (EC) to keep a tab on the online political advertisement and online expenses of political parties.

- The Google will develop a mechanism to ensure pre-certification of political advertisements and only those advertisement will be published which are pre-certified by the Election Commission's Media Certification and Monitoring Committee.
- The google will share the data related to expenses incurred by political parties on advertisements on its platform.

This will help returning officer in calculating the election expenditure of individual candidate.

- Like Google, Facebook has also agreed to remove any content related to the election during 48-hour prior to the election.
- Facebook will also develop a mechanism to check fake news and share details of expenditure on election-advertisement.

Election Commission

- Election Commission of India is a **permanent Constitutional Body**. The Election Commission was established in accordance with the Constitution on 25th January 1950.
- The Constitution of India has vested in the Election Commission of India the **superintendence, direction and control** of the entire process for conduct of elections to Parliament and Legislature of every State and to the offices of President and Vice-President of India
- At present, the Election Commission of India is a three-member body, with one Chief Election Commissioner and two Election Commissioners.

NOTE:

- In **postal ballot** one can download the blank post ballot sent electronically, mark his/her preference and post the filled-up ballot back to the respective returning officers.
- In **proxy voting** one can cast his/her vote through a nominated proxy.
- In **e-voting** a voter records his or her ballot electronically in a secure and secret way.

Code of Conduct in Parliament

Vice-President M Venkaiah Naidu has asked political parties to develop a code of conduct for their members inside the legislature.

There is a code of conduct for Rajya Sabha Members since 2005 but there is no code of conduct for Lok Sabha Members.

Background

- There has been continuous disruption of parliament by members. The second half of Budget Session of 2018 witnessed complete washout. Frequent disruptions lead to adjournment of the house. The productivity of the Lok Sabha was four percent and that of the Rajya Sabha at eight percent.
- The behavior of parliamentarians is seen by the whole country and it impacts the legitimacy of the institution of parliament.

History of Code of Conducts

- There is a code of conduct in place for Judges of High Court and Supreme Court and also for State and Union Ministers.
- A code for Union ministers was adopted in 1964, and state governments adopted it as well.
- A conference of Chief Justices in 1999 resolved to adopt a code of conduct for judges of the Supreme Court and High Courts.

Code of Conduct in Rajya Sabha

- The First Report of the Ethics Committee was adopted on December 15, 1999.

- The Fourth Report was adopted by Rajya Sabha on April 20, 2005, and a 14-point Code of Conduct for members of the House was formed and was implemented. Major points included in Code of Conduct are:
 - If Members find that there is a conflict between their personal interests and the public trust which they hold, they should resolve such a conflict in a manner that their private interests are subordinated to the duty of their public office.
 - Members must not do anything that brings disrepute to the Parliament and affects their credibility.
 - Members holding public offices should use public resources in such a manner as may lead to public good.
 - Members should always see that their private financial interests and those of the members of their immediate family do not come in conflict with the public interest and if any such conflict ever arises, they should try to resolve such a conflict in a manner that the public interest is not jeopardized.
 - Members should never expect or accept any fee, remuneration or benefit for a vote given or not given by them on the floor of the House, for introducing a Bill, for moving a resolution or desisting from moving a resolution, putting a question or abstaining from asking a question or participating in the deliberations of the House or a Parliamentary Committee.

Code of Conduct in Lok Sabha

- The first Ethics Committee in Lok Sabha was constituted on May 16, 2000.
- The Report of the Ethics Committee — with regard to amendments to the Rules of Procedure and Conduct of Business in Lok Sabha was laid on the table of the House on December 18, 2014. Its recommendations were included in the report of the Rules Committee of Lok Sabha tabled in Lok Sabha on August 5, 2015.
- It said that the Ethics Committee will formulate a Code of Conduct for Members and suggest amendments or additions to the Code of Conduct from time to time. The matter has since been pending with the Ethics Committee.

International Examples

- The Canadian House of Commons has a Conflict of Interest and Ethics Commissioner with powers to examine violations of the Conflict of Interest Code at the request of another Member or by Resolution of the House or on his own initiative.
- Germany has had a Code of Conduct for members of the Bundestag since 1972.
- The USA has a Code of Conduct in place since 1968.

Way Forward

- Disruption of Parliament is a serious issue and it is necessary to put in place some mechanism to check unruly Members of Parliament.
 - It should also be ensured that the Code of Ethics should not become a tool to curb the role of Opposition. Like in the UK, Some working days of Parliament should be allotted to Opposition to decide the Agenda of the day.
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Important Facts for Prelims (5th September 2018)

Japan to Test Mini-Space Elevator

- A Japanese team has developed and will conduct the first trials of a space elevator.
- Under the proposed project, a miniature elevator stand-in box will move along a 10m cable suspended between two mini satellites.
- This test will explore, for the first time, the movement of a container on a cable in space.
- The idea of Space Elevator was first proposed in 1895 by Russian scientist Konstantin Tsiolkovsky.

Different from the original concept of Space Elevators:

- This project is a far cry from the theoretical concept of Space Elevator.
- In theoretical concept, a space elevator is like a “vertical cable car” into space. Elevator cars (Climbers), powered by electricity, travel up and down the tether and carry cargo and eventually humans to and from space.

Significance of Space Elevator :

- Cargo Capacity
Using a Tether that is just 2.5 inches in diameter could support the lifting of three complete International Space Stations per day.
- Cost
Shipping cost of sending cargo in space will reduce to fraction of what it is today.
- Safety
Though much slower than a conventional rocket, the ride is much smoother, akin to riding on a high-speed railway line.

Typhoon Jebi

- Japan is hit by one of the biggest typhoon in the last 25 years.
- Typhoon Jebi was formed from a low-pressure area formed near Marshall island in the Pacific Ocean.
- Jebi is the most intense tropical cyclone in the Northern Hemisphere in 2018.

- Typhoon is the region-specific name of a Tropical Cyclone (swirling system of clouds and thunderstorms that originates over tropical or subtropical oceans).
- In the Atlantic and Northeast Pacific, the term “hurricane” is used. The same type of disturbance in the Northwest Pacific is called a “typhoon” and “cyclones” in the South Pacific and the Indian Ocean.

Coffee Board goes Digital

- In line with the digital transformation initiatives of the Government of India, Coffee Board has taken key digital initiatives for the overall technological advancement of the coffee sector and value chain.
 - The Coffee Board of India is an organisation managed by the Ministry of Commerce and Industry to promote coffee production in India.
 - The Coffee Board launched a Blockchain-based market app that will create a digital platform linking all stakeholders, including growers, processors, exporters and importers.
 - **“Coffee Connect”** app will gather all information relating to various coffee plantations in the country, such as geographical location, plant material, age, production and machinery available.
 - **“Coffee Krishi Taranga”**, an IVR-based digital mobile extension service will provide customised information and services to coffee growers to increase productivity, profitability and environmental sustainability.
 - These solution will help improve the efficiencies of field functionaries in subsidy disbursement and real-time report generation.
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