

## China upgraded firepower on LAC

(GS Paper 3, Internal Security)

### Why in news?

- It is said that the **Chinese People's Liberation Army (PLA)** has vastly **expanded troop accommodation within 100 km from the Line of Actual Control (LAC)** in the western sector.

### China's preparation

- **Long-range artillery and rocket systems, upgraded air defence systems**, expanded runways, and hardened blast pens to house fighter aircraft, on its side in the last two years since the stand-off in eastern Ladakh began.

### Model villages:

- They have also set up **captive solar energy and small hydel power projects** all along the LAC. This enhances their **winter sustenance capability** manifold, this is apart from the model villages they are building all along the LAC.
- Four PLA Divisions under the Xinjiang military district are being rotated on their side facing eastern Ladakh.
- All these Divisions are in the process of being converted into Combined Arms Brigade (CAB).



### Weapons upgrade:

- The 4th Division, which has one armoured regiment, has inducted the **ZTQ 15 (Type 15) third generation modern light tank**, replacing the ZTZ-88 first generation tanks in service.
- The 6th Division which operates the Type 96 A second generation tanks remains the same. In terms of technology upgradation, the fire control systems of the tanks have also been upgraded.
- Similarly, **two mechanised brigades which operate wheeled armoured personnel carriers (APCs)** have upgraded from the ZBL-08 to the latest ZTL-11 APCs.
- The 11th Division remains a medium CAB. They have also inducted the CSK series of assault vehicles akin to U.S. Army Humvees.

- The PLA has **developed heliports at Shigatse and Rudok** and airbases have been upgraded with extended runways and blast pens at Gargunsh, Lhasa and Guangzhou.

#### **Better mobility:**

- In terms of long range firepower, the PLA has upgraded its artillery by **replacing the towed howitzers with truck-mounted howitzers** having a range of 50 km. This gives better mobility, faster shoot and scoot ability and less deployment time, officials noted.
- In addition, the PLA has deployed the **PHL-3 Multi-Rocket Launch Systems (MRLS) with a range of over 100 km** and has better targeting than earlier versions. This is a Chinese version based on the Russian Smerch MRLS, three regiments of which are in service with the Indian Army.

#### **Developments in eastern sector:**

- In the eastern sector, opposite Arunachal Pradesh, China has moved artillery guns within 50 km range from the LAC.
- In air defence, the older systems have been replaced with HQ-17 surface to air missiles and the long range HQ-9 has been deployed at Chip Chap ridge. The HQ-9 is believed to be based on the Russian S-300 missile system with a range from 100 to 300 km.

#### **UAVs:**

- China has also significantly expanded its Unmanned Aerial Vehicles (UAV) network and usage in areas close to the LAC with their employment for a variety of tasks from **intelligence, surveillance and target acquisition and reconnaissance (ISTAR) capabilities** and logistics support.
- Flight sorties are being coordinated from a unified command centre and are extensively monitored for further improvement.

#### **Progress by India:**

- Following the confrontation on the Kailash range on the south bank of Pangong Tso in August 2020 when India and China deployed tanks on the mountain peaks at over 15,000 feet, the Indian Army has issued a tender for the procurement of light tanks.
- Since the stand-off, India too has significantly expanded its military capability and augmented infrastructure on its side of the LAC. For instance, India too has deployed **Smerch MLRS and BrahMos cruise missile** systems in Arunachal Pradesh closer to the LAC.
- Each side continues to deploy over 50,000 troops each in eastern Ladakh as the process of disengagement from friction areas and de-escalation remains incomplete.

### **Indian laws on abortions** **(GS Paper 2, Polity and Governance)**

#### **Context:**

- In a significant step backwards for women's rights in the U.S., the Supreme Court overturned the landmark **Roe v. Wade** judgement of 1973, which gave women in America the right to have an abortion before the foetus is viable outside the womb or before the 24-28 week mark.
- In this context, there is need to look at the laws that govern abortion in India.

#### **How did abortion laws come about in India?**

- In the 1960s, in the wake of a high number of induced abortions taking place, the Union government ordered the constitution of the **Shantilal Shah Committee** to deliberate on the legalisation of abortion in the country.
- In order to reduce maternal mortality owing to unsafe abortions, the **Medical Termination of Pregnancy (MTP) Act was brought into force in 1971.**
- This law is an **exception to the Indian Penal Code (IPC) provisions of 312 and 313** and sets out the rules of how and when a medical abortion can be carried out.

#### **Section 312 & 313 of the IPC:**

- Under **Section 312 of the IPC**, a person who “voluntarily causes a woman with child to miscarry” is liable for punishment, attracting a jail term of up to three years or fine or both, unless it was done in good faith where the purpose was to save the life of the pregnant woman. This section effectively **makes unconditional abortion illegal in India**.
- **Section 313 of the IPC** states that a person who causes the miscarriage without the consent of the pregnant woman, whether or not she is in the advanced stages of her pregnancy, shall be punished with life imprisonment or a jail term that could extend to 10 years, as well as a fine.



#### How has the MTP Act evolved from 1971 to 2021?

- The latest amendment to the MTP Act was made in 2021. Before that new rules were introduced in 2003 to allow the use of then newly discovered abortion medicine misoprostol, to medically terminate a pregnancy up to seven weeks into it. Broader amendments to the original Act were introduced in 2020 and the **amended Act came into force in September 2021**.
- Under the Medical Termination of Pregnancy (Amendment) Act, 2021, abortion is permitted after medical opinion under stipulated circumstances.
- The 2021 Act **increased the upper limit of the gestation period** to which a woman can seek a medical abortion to 24 weeks from 20 weeks permitted in the 1971 Act. But this renewed upper limit can only be exercised in specific cases.
- **Gestational age**, calculated in weeks, is the medical term to describe how far along the pregnancy is and is measured from the first day of the woman’s last menstruation or period.
- Another major amendment was that **MTP could not be accessed on the opinion of a single registered medical practitioner** up to 20 weeks of the gestational age. From 20 weeks up to 24 weeks, the opinion of two registered medical practitioners is required.
- In the previous version of the Act, the opinion of one registered doctor was required to access a medical abortion up to 12 weeks of pregnancy, while two doctors were required to endorse the abortion up to 20 weeks.

#### What is the MTP (Amendment) Act, 2021?

Under the 2021 Act, **medical termination of pregnancy is permitted if it is backed by medical opinion** and is being sought for at least one of the following reasons —

- a) If the continuation of pregnancy would involve a risk to the life of the pregnant woman
- b) If its continuation would result in grave injury to the woman's physical or mental health (if the pregnancy is a result of rape or failure of contraceptive used by the pregnant woman or her partner to limit the number of children or to prevent pregnancy, the anguish caused by its continuation would be considered to be a grave injury to the mental health of the pregnant woman)
- c) In the case of a substantial risk that if the child was born, it would suffer from serious physical or mental abnormality.

The **pregnancy can be terminated upto 24 weeks of gestational age** after the opinion of two registered medical practitioners under these conditions —

- a) If the woman is either a survivor of sexual assault or rape or incest
- b) If she is a minor
- c) If her marital status has changed during the ongoing pregnancy (i.e. either widowhood or divorce)
- d) If she has major physical disabilities or is mentally ill
- e) On the grounds of foetal malformation incompatible with life or if the child is born, it would be seriously handicapped
- f) If the woman is in humanitarian settings or disaster, or emergency situations as declared by the government

#### **Other situations:**

- Besides, if the pregnancy has to be terminated beyond the 24-week gestational age, it can only be done on the grounds of **foetal abnormalities** if a four-member Medical Board, as set up in each State under the Act, gives permission to do so.
- The law, notwithstanding any of the above conditions, also provides that where **it is immediately necessary to save the life of the pregnant woman**, abortion can be carried out at any time by a single registered medical practitioner.
- Under the 2021 Act, Unmarried women can also access abortion under the above-mentioned conditions, because it does not mention the requirement of spousal consent. If the woman is a minor, however, the consent of a guardian is required.

#### **Right to privacy:**

- Section 5A of the Act contains provisions for the **protection of the privacy of a woman undergoing an abortion.**
- The registered medical practitioner cannot “reveal the name and other particulars of a woman whose pregnancy has been terminated”, except to a person authorised by the law. If the doctor reveals such information in breach of the woman's privacy, they could attract a jail term of upto one year or a fine, or both.

#### **Have there been judicial interventions in cases of abortions?**

- Despite the fact that existing laws do not permit unconditional abortion in the country, in the landmark **2017 Right to Privacy judgement in *the Justice K.S. Puttaswamy v. Union of India*** and others, the Supreme Court had held that the **decision by a pregnant person on whether to continue a pregnancy or not** is part of such a **person's right to privacy as well and**, therefore, the **right to life and personal liberty** under Article 21 of the Constitution.
- Several women annually approach the apex court and High Courts, when medical boards reject their application to access MTP beyond the gestational upper limit (now 24 weeks), seeking permission to abort a pregnancy, mostly in cases where it is a result of sexual assault or when there is a foetal abnormality.
- In February 2022, the **Calcutta High Court allowed a 37-year-old woman, who was 34 weeks into her pregnancy**, to get a medical abortion as the foetus was diagnosed with an incurable spinal condition.
- The Court permitted this after the State Medical Board rejected the woman's application to get MTP. This judgment allowed abortion for the furthest gestational in the country so far.

## India-Vietnam Defence Partnership

(GS Paper 2, International Relation)

### Context:

- The **furtherance of India's Act East Policy, maritime multilateralism, maritime security outreach** and the building of stronger networks across the Indo-Pacific are some of the key elements which have made New Delhi and Hanoi natural partners.

### Joint Vision Statement on India-Vietnam Defence Partnership towards 2030:

- The two countries recently **deepened bilateral cooperation** with the signing of the **Joint Vision Statement on India-Vietnam Defence Partnership towards 2030** during the recent visit of India's Defence Minister to Vietnam.
- The Joint Vision Statement is aimed at boosting the scope and scale of the existing defence cooperation between the two nations.
- Both sides undertook extensive deliberations to expand avenues of effective and practicable collaboration in bilateral defence engagements pertaining to regional and global issues.



### Line of Credit:

- In the meeting, the early finalisation of the **\$500 million Defence Line of Credit extended by India** to the latter along with the implementation of existing projects which would complement India's 'Make in India, Make for the world' and Hanoi's defence capabilities were also discussed.

### Comprehensive Strategic Partnership (CSP):

- The two sides also signed a Memorandum of Understanding (MoU) on **mutual logistics support**.
- This is the first agreement of its kind that Vietnam has entered into with any other country and elevates the standing of **Comprehensive Strategic Partnership (CSP)** which it shares with India since 2016 (along with only Russia and China).
- Earlier in January 2022, on the 50th anniversary of the establishment of diplomatic ties, India reaffirmed its commitment to the CSP.

### **Indo-Pacific and potential:**

- Because of the volume of maritime trade that passes through sea lanes of communication in the Indo-Pacific and potential as well as estimated energy reserves in these waters, maritime cooperation between countries in the region have expanded exponentially.
- Undoubtedly, for India and Vietnam too, the maritime domain in particular has occupied a central focus.
- Both countries find **convergence in their approaches towards the maintenance of stability and security of the Indo-Pacific** which has translated into diplomatic and political support in the context of developments within the region and manifested in the form of tangible and functional cooperation instruments, the most vital being bilateral defence partnership.
- The **enhanced geostrategic prominence** and attendant **uncertainties vis-à-vis China's expanding** and often abrasive footprints in the Indo-Pacific have resulted in an overall increase in emphasis on cooperative mechanisms and frameworks across the region.

### **Defence partnership:**

- Defence partnership between the two countries has been growing steadily following the signing of the **Defence Protocol in 2000**.
- Today it covers extensive navy-to-navy cooperation spanning the exchange of intelligence, production and logistical support for Vietnam's defence requirements, development of naval facilities such as **Nha Trang, defence dialogues, high-level visits and the supply of warships and cruise missiles**.

### **Vietnam's position in the South China Sea:**

- Vietnam has and continues to be one of the most vocal countries with respect to China's periodic transgressions in the South China Sea.
- In India, Vietnam has found an equally uncompromising partner when it comes to the question of violations of freedom of navigation and threats to sovereign maritime territorial rights as enshrined under international maritime law.
- Indeed, it is believed that **Vietnam used the term Indo-Pacific for the first time in 2018 in its joint statement with India**.
- India has supported Vietnam's position in the South China Sea with respect to China's destabilising actions and coercive tactics **backing the verdict of the Permanent Court of Arbitration in the case brought by Manila in 2016** and reiterating the irrefutability of the UNCLOS.

### **Oil exploration by India:**

- India has also not backed down from continuing ONGC Videsh Ltd (OVL)'s oil exploration project in Block 128 (which is within Hanoi's EEZ) despite China's protests.
- In 2020 China's incursion into Ladakh was quickly followed by the deployment of warships by India to the South China Sea in an instance of asymmetrical warfare and a signalling that India will not stand down.
- These instances together with the deepening of India's operational outreach in the Indo-Pacific have successfully indicated and cemented its role as a capable, willing and reliable partner.

### **Vietnam's engagement with global world:**

- It is also in the last few years that Vietnam has augmented its emphasis on naval diplomacy and strengthened its ties with the US alongside the extension of its engagement with India and other ASEAN members.
- Many 'firsts' have occurred in this period including the **visit of Japanese submarine Kuroshio** in 2018 which docked at the Cam Ranh International Port; the **visit of Canadian naval ships** to the Cam Ranh military base in 2019; the signing of the **Framework Participation Agreement between Hanoi and the EU** which facilitates the former's participation in the EU's **Common Security and Defence Policy (CSDP) missions** and operations with Vietnam being the first among ASEAN member countries to do so.

### **Way Forward:**

- Despite the fact that the China factor has provided impetus to the solidification of ties, it is also important to consider that mutual cooperation is not driven solely by it.
- Both countries have expanded areas of collaboration and are supportive of each other's individual and multilateral involvements within the rubric of the Indo-Pacific.

- Convergences between India and Vietnam has thus naturally found expression in bilateral relations and the two countries are poised to develop their partnership further in the coming years.

## **Supreme Court verdict on the Zakia Jafri protest petition**

**(GS Paper 2, Judiciary)**

### **Why in news?**

- The Supreme Court dismissed the **protest petition filed by Zakia Jafri**, widow of late Congress leader Ehsan Jafri, **challenging the clean chit given to Prime Minister Narendra Modi**, then Chief Minister of Gujarat and 63 other senior officials of the State for their alleged role in the 2002 communal riots.

### **Supreme Court Ruling**

- The apex court in its verdict **rubbed allegations of a “larger conspiracy”** in the Gulberg Housing Society case in which Ehsan Jafri was among those killed.
- The massacre took place shortly after the Godhra train tragedy which had claimed the lives of 59 kar sevaks on February 27, 2002.



### **What was the apex court’s verdict?**

- The three-judge Bench headed by Justice A.M. Khanwilkar held that the inaction of “some officials of one section of the State administration” cannot be the basis to infer a pre-planned criminal conspiracy by the State government, and found no fault in the Special Investigation Team (SIT) report.
- There is no material worth the name to even create a suspicion indicative of the meeting of the minds of all concerned at some level; and in particular, the bureaucrats, politicians, public prosecutors or the members of the state political establishment for hatching a larger criminal conspiracy at the highest level to cause and precipitate mass violence against the minority community across the State.
- The Bench upheld the decision of the Additional Metropolitan Magistrate to accept the closure of the SIT, which was itself appointed by the Supreme Court in 2008 rejecting the protest petition filed by Zakia Jafri.

### **What were the criticisms of the Supreme Court?**

- The court came down heavily on two State officers, Sanjiv Bhatt and R.B. Sreekumar and former Home Minister of Gujarat Haren Pandya, the falsity of whose claims had been fully exposed by the SIT after a thorough investigation.
- The court held that the officers were not part of the meeting to decide the future course of action when the violence had broken out on Feb 27, 2002.
- Mr. Bhatt had told the Supreme Court that on the night of Feb 27, 2002, Mr. Modi had asked the police brass to let the Hindus vent their anger. Likewise, Mr. Sreekumar had in his deposition before the Nanavati-Shah commission pointed to a dubious role by the administration during the violence.

#### **SIT submitted report in 2012:**

- Incidentally, the **SIT headed by former CBI director R.K. Raghavan** had submitted a closure report almost a decade ago. **Back in 2012, it gave a clean chit to Mr. Modi and 63 others**, finding no prosecutable evidence against them.
- The Metropolitan Magistrate accepted the report following which Zakia Jafri went to Gujarat High Court. In October 2017, the State High Court dismissed her petition.
- In September 2018, Ms. Jafri knocked the doors of the Supreme Court and filed a protest petition against acceptance of the SIT report. In December 2021, the apex court reserved its judgment.

#### **What happened in Gulberg Society?**

- As tensions were on a high in Ahmedabad after the Godhra tragedy, around 90 local residents had gathered at the Gulberg residence of Ehsan Jafri, hoping for safety at the former Parliamentarian's place from the mob on the rampage.
- Mr. Jafri, apprehending violence, called many officers and leaders for help. In the absence of any practical aid, Mr. Jafri had lost hope. Around 9.30 in the morning, the first attack took place.
- The police assured help but soon a mob laid siege to Gulberg Society. Gas cylinders were hurled inside the premises from outside and kerosene cans were lobbed from the road. The house was set on fire. Mr. Jafri stepped out, pleading with the mob for the life of the people inside the house.
- He was then dragged to the road, mutilated and then killed. His body was not recovered. Sixty-nine people were killed, as claimed by local residents; officially 39 casualties were reported.
- Further, as an eyewitness recalled in Rakesh Sharma's National award-winning documentary Final Solution based on the Gujarat violence, "The police removed the names of the main culprits of the Vishwa Hindu Parishad, Bajrang Dal from the FIR. We were offered money to take the case back, not to recognise the culprits."

#### **What has been the aftermath of the verdict?**

- Within hours of the Supreme Court judgment, human rights activist Teesta Setalvad, said to be behind Ms. Jafri's prolonged legal battle, was detained by the police.
- Mr. Sreekumar was also arrested. Mr. Bhatt is already under custody.