

## Newspaper Clipping Dec 2011

**Compiled by M.Shanthi  
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2<sup>nd</sup> December,2011

### **Tax the salaried, individuals more to fund health coverage: Srinath Reddy Panel**

#### *Business Line*

If you are a salaried or individual taxpayer, brace for more deductions. The High Level Expert Group on health, headed by Dr K Srinath Reddy, has proposed mandatory tax deduction for funding universal health coverage (UHC).

In a report submitted to the Planning Commission recently, Dr Reddy said for the “vision of the UHC to be recognised, a tax-based system of health financing is essential.” The UPA Government intends to increase public financing of health to 2.5 per cent of GDP from 1.2 per cent currently, during the 12th Plan period.

Citing examples from international case studies, Dr Reddy said countries that had introduced successful UHC had mostly depended on general revenues, rather than on unsteady streams of contributory health insurance.

The report also proposes higher taxes on tobacco and alcohol. This will “have the public health benefit of reducing consumption of these harmful products, while adding to the general revenue pool,” it says.

### **USER CHARGES**

With the exception of one member, the panel is unanimous that user charges of all forms should be dropped as a source of Government revenue for health.

“Global experience suggests that imposition of user fees in many low and middle income countries has increased inequalities in access to healthcare,” it said.

### **INSURANCE POLICIES**

The report has come out strongly against using insurance companies or independent agents to make people buy healthcare services on behalf of the Government.

“The use of independent agents fragments the nature of the care being provided, and over time, leads to high healthcare cost inflation and lower levels of wellness,” it says.

Instead, it suggests engaging the private sector through a well defined “contracting-in” mechanism, to harness its power, but with adequate checks and balances. (Contracting is a purchasing mechanism used to acquire a specified service, of a defined quality and quantity, at an agreed on price, from a specific provider, for a specified period).

The panel also proposes that all Government-funded insurance schemes be integrated with the UHC system, and all health insurance cards be replaced by National Health Entitlement Cards.

## **DRUG COMPANIES**

To check indiscriminate use, the panel has proposed price controls and regulation on essential and commonly prescribed drugs.

Also, caps on trade margins to rein in drug prices while ensuring reasonable returns to manufacturers and distributors could be considered.

With regard to alternate therapies, such as Ayurveda, it has sought revision and expansion of the National Essential Drugs List. However, in a note of caution, it says new drugs should be included only after scientific evidence and due consideration to safety, efficacy and cost-effectiveness.

## **STRONG REGULATION**

The Reddy panel report proposes a National Health Regulatory and Development Authority to regulate and monitor public and private healthcare providers, with powers of enforcement and redressal, as well as oversee contracts, accreditation, etc.

Finally, it wants all public-private partnerships (PPP) projects on health to be brought under RTI, social audits and selective CAG audits.

<http://www.thehindubusinessline.com/industry-and-economy/economy/article2677932.ece>

2nd December , 2011

### **Star panel to debate Anna effect.**

*The Times of India*

KOLKATA: The debate is hotting up and the wait for the final contest of opinions has begun. Is India finally on the threshold of wiping out corruption or is the government being blackmailed by a band of selfproclaimed activists who are dictating terms to our elected representatives? This is the question that has split the nation ever since Anna Hazare launched his movement demanding the Lokpal Bill. And this is what a distinguished panel of speakers will be deliberating on at the Calcutta Club National Debate presented by The Times of India in association with Ambuja Realty, supported by Vennfer and powered by Concast Maxx on December 3. "In the demand for a strong Lokpal, does the end justify the means?" is the motion for the debate.

[http://articles.timesofindia.indiatimes.com/2011-12-02/kolkata/30467069\\_1\\_anna-hazare-anna-issue-lokp](http://articles.timesofindia.indiatimes.com/2011-12-02/kolkata/30467069_1_anna-hazare-anna-issue-lokp)

2nd December,2011

### **Do we need a Sports Ministry or will autonomy help?**

*The Pioneer*

The recent success of the F1 Indian Grand Prix, raised an important issue, whether sporting events organised by private bodies are a greater success owing to a much more professional approach undertaken by such entities, or should Government be allowed to have its say in the administration of sports, as is the case in India.

The success of the Indian Grand Prix (where incidentally Union Sports Minister Ajay Maken was not even invited!) stands in sharp contrast to the controversy-ridden staging of the Commonwealth Games 2010, organised by the Sports Ministry and its Organising Committee, and raises the question over the relevance of having such a huge "Sarkari" behemoth for managing our sports affairs.

Despite our emergence as a new economic super power in the world market, we are lagging behind in a very crucial field and that is Sports. Only Cricket is the sport where we have made our mark by becoming two time world champions as its affairs are managed by the Board of Control for Cricket in India, which is an autonomous body and doesn't have Government intervention.

On the other hand, hockey and football bodies, which are heavily administered by the Government, are in such a bad shape that players neither get enough resources nor training to achieve world class status. Whatever laurels they achieve for the nation, is all because of their own hard effort and commitment for the game.

If we talk about national football team, people at best remember the team captain Baichung Bhutia and not others. It is a shame that Indian Hockey team was forced to protest due to nonpayment of salaries and recently they refused to take the cash prize because they were offered a very low amount as prize money despite Union Government allocating Rs 1,121 crore to Sports Ministry in 2011-2012. Recently, a Sports Development Bill was rejected by the Cabinet. This unique sports Bill has three essential points. First, heads of the sports federation are to retire at the age of 70 years. Secondly, all the sports federations including the autonomous BCCI and Indian Olympic Association are proposed to come under the purview of the RTI act, and thirdly 25 per cent of the seats are to be reserved for former sportspersons from the same sport in the executive boards.

The Bill faced heavy criticism upon being introduced in the Cabinet and some in the Government called it a draconian law to strangulate sports authorities in India, fearing restrictions on their authoritarian functioning till now. There's also the inherent fear, quite rightly so, that if cash rich organisation like BCCI are brought under direct control it won't be long before one of the strongest sporting field - cricket is reduced to hockey's current state.

On the institutional front, BCCI Vice President and also Congress Member of Parliament Rajiv Shukla had argued that transparency in the operations of the board is already strong enough. Apparently, the Board paid income tax of Rs 2.49 billion last year and the results are in public domain, he said. The cash flow to BCCI is huge and if the details of these come under the ambit of RTI, the mandatory revelations may hamper its earnings. The IOA has made it clear that its affiliates have to be free from Government interferences for smooth functioning of the game at the international level. This leaves no choices for BCCI but to fight for its autonomy. But the real concern hurting BCCI is the possible trouble arising out of the public display of its dealings that will significantly affect the money flowing in from sponsors and advertisers. The situation of hockey has worsened so much that the Indian hockey team failed to qualify for the previous Olympics in Beijing and today, there are two bodies, Hockey India (HI) and Indian Hockey Federation (IHF) who claim to run the sport in the country.

All this makes its pertinent to see how these activities are governed in other major sporting nations of the world.

If we look at China, before 1980s the Chinese sport governance system was a huge state-run enterprise. The Chinese Government was responsible for funding

and overseeing sport-related affairs and operations under a centrally planned, hierarchical economic system. The country's adoption of the open-door policy in the 1980s led to the transformation of the sport system in China. The sport governance system in that country gradually evolved under the free-market system to become more self-sufficient. The State Sports Commission was restructured to become the State General Administration of Sport in 1998. Although the sport governance system has been reformed considerably in the last two decades, the Government at all levels still has extensive control of sport operations in China. The Sports Law of the People's Republic of China became effective on October 1, 1995.

Looking at Great Britain, which had its most successful Olympics in 100 years in Beijing, British athletes were largely given money from the UK National Lottery, but as the Government basically controls how lottery income is spent, most people would still count this as state funding.

Even in the US no Government agency is authorised to oversee sports. However, the President's Council on Physical Fitness and Sports advises the President through the Secretary of Health and Human Services about physical activities, fitness and sports and recommends programmes to promote regular physical activities for health of all Americans.

Given the current Indian scenario, it is amply clear that whatever sport Government is handling is in a complete mess and wherever autonomous bodies are functioning, situation is just the opposite.

<http://www.dailypioneer.com/sunday-edition/others/moneywise/25216-do-we-need-a-sports-ministry-or-will-autonomy-help.htm>

3<sup>rd</sup> December ,2011

### **Open secrets.**

*Business Standard*

The RTI revolution has not yet lived up to its promise of making the state more transparent. *Rishi Raote* on what's going wrong.

In the village of Saldi, 13 km from Amreli in Gujarat, the two fair-price shops always seemed to be short of rations. Fed up, 18-year-old student Bhadresh Wamja filed an application in February 2011 with the tehsildar to find out what supplies were sent every month. After much resistance and some threats, an inspection of one shop was scheduled — but the shopkeeper quietly moved out the stock.

Wamja phoned an NGO in Ahmedabad, which advised him to file a right-to-information request with the deputy tehsildar and make a police complaint. He learnt that full supplies had been delivered. The tehsildar was forced to investigate again, and he found that nine out of 10 villagers had received nothing. Clearly, rations had been diverted. An adverse report was filed, an inquiry held, and the shopkeeper forced to mend his ways.

As a result of Wamja's efforts, all fair-price shops in Gujarat, even though privately owned, are now required to disclose what supplies they receive. A campaign is under way to make sure that they do.

Six years after it was enacted, the Right to Information Act has given rise to a whole ecosystem inhabited by ordinary people, harassed officers, activists, companies and professionals. Good Samaritans hold RTI clinics across the country, help is on offer online, and there are NGOs that specialise in RTI. Companies have started using the Act to access policy documents. Journalists use it to get scoops on the government. And activists use it to devastating effect.

On September 21, when Subramanian Swamy brandished in the Supreme Court a note sent by the finance ministry to the prime minister's office in March, which said that P Chidambaram (then finance minister) had allowed disgraced telecom minister

A Raja to have his way while allotting 2G spectrum at a throwaway price in 2007-08, it was a document that RTI activist Vivek Garg had got from the PMO. The note sent the Manmohan Singh government into a tizzy, till Sonia Gandhi intervened and made peace between Finance Minister Pranab Mukherjee and Chidambaram.

Threats are common to "troublesome" information-seekers and can even escalate to murder. Over a dozen RTI activists have been killed since 2005, the latest being Shahla Masood of Bhopal in August 2011. It is not always possible, however, to link the murder to RTI. On the flip side, some activists, it is said, blackmail businessmen or officials with the threat of exposure.

"Whatever information you get, put it in the public domain," advises C J Karira, supermoderator of the online forum RTI-India.org (which has 160,000 members). "The problem with RTI activists is they want their name associated, so they don't disclose information immediately. If it is put up then there is no point in killing you." If 50 citizens all demand the same information, the wrongdoer cannot eliminate all 50.

Instances of blackmail or extortion are exaggerated, says Bhaskar Prabhu of the Mahiti Adhikar Manch, a group of 50 RTI activists in Mumbai that holds RTI “clinics” twice a month to help people write applications and understand the law. Only “15-20 per cent of Indians know what RTI is,” he says, “of which only 1 per cent are actually using it.” Slowly, via RTI and other measures (like e-governance) the government is beginning to turn toward transparency and accountability.

Harish V, an advocate and RTI activist in Kerala, focuses on environmental issues. Once he heard a rumour that the government was giving 1,000 acres of forest to a private company. He got the files, informed the local media, and the state backtracked. Was he never threatened? “I got two-three calls, saying ‘You don’t try this.’ That’s the usual thing in social work. Usually they will not go further than that — not like in north India.” This is why he has filed RTI requests from afar on behalf of activists in more dangerous areas like Assam, as well as for whistleblowers within the state administration or PSUs.

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Much of official India, from the prime minister down, has reservations about the way the RTI Act works. Public Information Officers (PIOs) are the first RTI point of contact in any branch of any public authority. There are hundreds of thousands of PIOs, and most handle RTI applications in addition to their regular duties. “Officials feel that RTI has given them only extra work,” says R Suresh, director of Public Affairs Centre, a Bangalore-based non-profit organisation. “Hence, they see any RTI application with some contempt and treat it as an intrusion.” And if an officer or department is corrupt, RTI makes it more difficult to continue with business as usual. Fortunately there are ways to keep applicants on the back foot.

An average of about 30 per cent of RTI applications are rejected, says Yamina Aiyar of the Centre for Policy Research. She helped lead a nationwide study in 2009 by the RTI Assessment & Analysis Group and the National Campaign for People’s Right to Information (NCPRI), the organisation which led the campaign for the RTI law in the 1990s. The study found that PIOs in rural areas often “harassed” or “discouraged” applicants. About 60 per cent of responses came late, although the law says information has to be given within 30 days. Yet only 1.4 per cent of delayed cases met with the statutory penalty. “Ours were fairly non-controversial queries,” says Aiyar. She adds that “You don’t always get all the information.” The PIO can choose to withhold some, although he must explain why, under Section 8 of the Act.

Section 8 offers a panoply of ways for an ignorant or ill-disposed PIO to reject an RTI application. Exemptions like legislative privilege, national interest, privacy, impeding an investigation or prosecution, Cabinet decisions and so on can be



stretched to cover quite a few demands — even though the RTI Act makes clear that every citizen has a “right” to public information.

Central Information Commissioner Shailesh Gandhi, an activist before he entered the Commission, has lectured about the ways in which Section 8 is abused. To avoid rejection, he said in a recent lecture, “Don’t ask for everything. Ask in a focused manner, and the PIO will find it difficult not to give information.” Revealingly, he adds, “Avoid taunts and aggressiveness, it puts off the other person.”

It’s not just the accusatory tone. “PIOs get complaints that are 15-16 pages long,” says Karnataka Information Commissioner J S Virupakshaiah, “with the actual question being just a few lines on the last page.” A new rule in Karnataka limits RTI queries to 150 words each, though activists say they will challenge this in court. What to do, however, if bureaucrats make crucial file-notings on removable Post-Its, or in different colours for coded messages?

Another way to sidestep RTI queries is to deny that one is a “public authority”. Schools, public-private partnerships, cricket’s BCCI and other organisations have tried to escape this category, only to come up against an order from the Information Commission. This, however, can be appealed — in court. Gandhi calls it a “dysfunctional judicial system” because, for instance, a “PPP will go to the High Court or Supreme Court and get a stay. It can take two decades,” by which time the RTI request is meaningless.

Delay is a fine tool of avoidance. It wreaks its worst damage in appeals — if a PIO rejects an application, the applicant can make a first appeal to his superior, and then a second appeal with the state or central information commission where there is a huge and growing backlog. There is no time limit for the second appeal. So it could take years.

In cases of “life and liberty” a quick reply is required by law. Harish V describes the case of a man who was arrested and vanished, but whose arrest was not recorded at the police station. The RTI request for papers was rejected, and the appeal, he was told, “the Commission will hear after one or two months. That person may have died or suffered custodial torture.”

Ordinary appeals could take years. Uttar Pradesh, with nine commissioners, has about 32,000 pending appeals. Maharashtra’s pendency has crossed 17,000. In New Delhi, Gandhi and his colleagues handle 20 or more appeals a day, yet pendency grew to 19,571 by July 2011. Chief Information Commissioner Satyananda Mishra refuses to speak with us because of the pressure of hearings.

In West Bengal the pendency period is 10.7 years. “The law has become defunct,” says activist Malay Bhattacharya. “There is no infrastructure in place.



The state can have seven information commissioners. At present we have just two.” Understaffing is rife. In Karnataka, four of 10 seats are empty, and commissioner Virupakshaiah says 14,000 appeals are pending. Andhra Pradesh has had only one commissioner for a whole year, and pendency was 8,392 by May 2011.

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What’s more, “The quality of commissioners is very poor,” says Karira. Among the examples is H N Krishna of Karnataka who was forced to resign in September 2011 after being chargesheeted for fraud. Others include superannuated bureaucrats and washed-up politicians. Each commissioner costs the nation about Rs 25 lakh a year in salary and perks. In some states, Karira adds, “you have PIOs who don’t even have a typewriter. They have to write out responses by hand.” Also, “no one is trained in record-keeping.”

Former Chief Information Commissioner Wajahat Habibullah says, “I started by suggesting that central PIOs be at the level of deputy secretary. But the Department of Personnel and Training downgraded them to undersecretary, and then section officer. Now, a section officer cannot have access to all the records” — which means writing to other departments, and more paperwork, and less reliable decision-making, especially about sensitive disclosures.

RTI fees vary and are not convenient to pay, though the Act explicitly says the poor must have access. In Karnataka, says R Suresh of the Public Affairs Centre, “the payment of fees has not yet been simplified. PIOs continue to demand drafts instead of giving a cash receipt to the RTI applicant.” Harish V says that in Kerala, information from a distant office can cost Rs 50 a page, instead of Rs 2. Having to go to a distant office cuts RTI appeals in rural Rajasthan very sharply, says Nikhil Dey of NCPRI.

Still, the number of activists is barely growing. “We RTI activists ourselves are to blame,” says Karira, “because we don’t guide users to become activists. We don’t collaborate much with each other.” It is only experience which shows “how to check whether documents are original or not, whether any documents have been removed from a file, and how to file a strong appeal”, he says.

Aiyar takes a longer view. “Ten years from now,” she says, “if people are still filing RTIs, that will be a serious state failure.” It will mean that transparent government still has not arrived.

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<http://business-standard.com/india/news/open-secrets/457373/>

27<sup>th</sup> December, 2011

## **Info chiefs push for citizens' charter to save sunshine law**

*The Times of India*

MUMBAI: The query filed under the Right To Information Act (RTI) in August was quite clear but even after four months, there seems to be no hope of getting a reply to it. And even information commissioners are aware of the hurdles the applicants have to face.

The applicant wanted to know if there was any Airports Authority of India (AAI) rule that prohibited an employee from discussing with other staffer any air-traffic or air-safety incidents. A month later, the applicant, an AAI employee, received a response saying answering the question would drain AAI's resources. The applicant filed an appeal with the AAI appellate authority Jyoti Prasad, who ruled that AAI should reply to the query within a month's time. A month later, the applicant received a letter from AAI which said they could not reply to the RTI query as the "question was not clear". Now, it has been four months since the seemingly simple query was first filed, but there has been no hope of getting a reply to it.

Every month, hundreds of RTI applications, especially the ones posing controversial queries, are stonewalled by government officials with impunity. If the RTI Act was to be honoured the above-mentioned applicant should have received a reply in September. "It was a simple question and it is hard to see how replying to it could have strained AAI's resources as claimed by the AAI's public information officer," the source added. None of the AAI officials has been hauled up or fined for violating the RTI deadline and denying a reply, despite an order from the AAI appellate authority. Such instances are commonplace and activists and RTI information commissioner say if the said manner of dodging/delaying RTI queries continues, the ever-increasing number of pending appeals will eventually render the Act impotent. The central information commission (CIC), headquartered in Delhi, had as many as 22,725 RTI appeals (if an appellate authority denies information, the applicant can approach an information commissioner) pending before it as on November, 2011. With each passing month, the number of pending appeals goes up, increasing the time it takes to get a response.

The fact was registered in the November meeting of central information commission when information commissioner Shailesh Gandhi proposed the need for a citizens' charter. The draft charter, presented in the meeting, underlined, apart from other points, the immediate need to set deadlines for disposal of appeals. The draft set the deadline to 2015 to achieve a list of objectives. The first was to ensure that over 95% appeals and complaints are adjudicated within 120 days of reaching CIC. "Ensure that non-compliance of CIC's orders is

brought to less than 5%. All public authorities are routinely complying with their obligation to disclose certain categories of information suo motu," it added. And finally, digitization of records and use of e-processes in the working of CIC.

[http://articles.timesofindia.indiatimes.com/2011-12-27/mumbai/30561055\\_1\\_rti-queries-aai-appeals-and-complaints](http://articles.timesofindia.indiatimes.com/2011-12-27/mumbai/30561055_1_rti-queries-aai-appeals-and-complaints)

29<sup>th</sup> December,2011

### **Make assessment reports of medical colleges public'**

*The Hindustan Times*

Transparency watchdog, the Central Information Commission, has directed the Medical Council of India (MCI) place assessment reports of medical colleges on the council's website.

G Vishnu, a resident of C R Park, Delhi, had filed a complaint with the CIC saying that the council has failed to place suo motto information on its website under section 4 of the Right To Information (RTI) Act regarding inspection reports of the medical colleges.

Vishnu asked the commission to direct the MCI to place primary inspection reports of colleges, approval and rejection reports and annual or bi-annual inspections which are mandatory in public domain. He also wanted MCI reports on capitation fees and action taken for the same against colleges to be displayed on the website.

The MCI informed that the colleges are inspected after every five years and the assessment reports cover the issues related to quality and bed occupancy in the linked hospital.

Information commissioner Shailesh Gandhi after deliberations with MCI decided that providing the assessment report of the colleges would be enough for people to take a view on a medical college. He also said that information regarding whether a proposal from a medical college has been approved or rejected should also be placed in public domain.

"It was agreed that the public authority would display the assessment report and whether the application has been approved or rejected by 30 July of each year where applicable," Gandhi's order said.

The transparency law envisages that every government departments disclose information voluntarily to ensure "transparency" and "accountability" in institutions. "This will reduce the load of RTI applications being filed with each institution as information will be freely available to citizens," Gandhi said.

<http://www.hindustantimes.com/StoryPage/Print/788831.aspx>  
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30<sup>th</sup> December,2011

### **Another Bt-cotton variant falls to fraud charges**

*Hindustan Times.*

In what could be a significant fraud in India's publicly funded biotech research, a second Bt cotton variant – NHH 44 -- claimed by government scientists as indigenous technology has been found to be sourced from US firm Monsanto's original patented product, sources have confirmed to

While Bikaneri, a Bt cotton technology developed by University of Agricultural Sciences (UAS), Dharwad, has already been traced to Monsanto's genes, NHH 44 is a hybrid variant, but both essentially are based on a "proprietary technology" created by Monsanto.

The first fraud came to light on the basis of disclosures made under the Right to Information (RTI) Act.

Together, "Bikaneri" and "NHH 44" were the only genetically-modified varieties of the Bt cotton developed through government-funded research to provide cheaper alternatives to poor farmers, while numerous other privately-developed varieties crowd India's royalty-driven Rs 2,000-crore cotton seed market.

Much of the flak is being heaped on UAS scientist BM Khadi, one of the lead scientists involved in the research. He headed the Central Institute for Cotton Research, Nagpur, until May 2008 and it was during his tenure that NHH 44 was initiated. He is also part of India's biotech regulator, pointing to a potential conflict of interest. Khadi could not reached for comments.

However, what were deemed to be original products, involving heavy government investment, have turned out to be not entirely indigenous. Relying on Monsanto's technology could have possible because its intellectual property rights protection of 15 years had ended, freeing violators from legal tangles, sources said.

The Indian Council of Agricultural Research's "network programme on transgenics" had a budgetary provision of R100 crore in the XI Plan.

The revelations have led critics opposed to GM crops to question government funding for technologies that are suspect. "This puts a question mark on whether capabilities to produce 'indigenous' GM crops exist, not that we want these," Kavitha Kuruganti, who represents the Alliance for Sustainable & Holistic Agriculture, said.

<http://www.hindustantimes.com/India-news/NewDelhi/Another-Bt-cotton-variant-falls-to-fraud-charges/Article1-788888.aspx>

31st December, 2011

### **Expert complains to PM on biotech bill**

*The Asian age*

Renowned biologist and former vice-chairman of the National Knowledge Commission, Dr Pushpa Bhargava, has written a strongly-worded letter to Prime Minister Manmohan Singh against the proposed Biotechnology Regulatory Authority of India (BRAI) Bill describing it as "unethical and unconstitutional and lacking in scientific sense".

The bill, to have been placed in the Winter Session of Parliament, has stated that information declared by the BRAI as "confidential, commercial information" cannot come under the RTI Act.

Its definition of biotechnology excludes key areas such as immuno-technology, stem cells and nano-biotechnology which are all an integral part of modern biotechnology.

"Even more surprising, every university teaching these techniques will have to get BRAI permission for teaching them to undergraduate and postgraduate students," Dr Bhargava pointed out.

No civil society participation has been proposed and the Biotechnology Regulatory Appellate Tribunal will not accept complaints from the civil society even though they will be most affected by these products.

Worse, the bill was unconstitutional because although agriculture was a state subject, the bill will take away from the state government, the authority to take decisions on GM plant products.

Dr Bhargava highlighted how when Mr Jairam Ramesh was minister for environment and forests, 10 states had written to the Prime Minister that they will not allow their states to grow Bt brinjal.

The bill has made the convener of the selection committee for members of BRAI to be nominated from the Department of Biotechnology which is a vendor of

genetic engineering. Nor did it make labeling of GM food products mandatory and offered no protection to farmers whose fields get contaminated with a GM product..

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Source URL: <http://www.asianage.com/india/expert-complains-pm-biotech-bill-690>