

Aviation security bureau, DGCA may get more teeth

Centre moves to amend law; airlines, airports may face fines of up to ₹1 crore

ANEESH PHADNIS & ARINDAM MAJUMDER
Mumbai/ New Delhi, 16 November

Civil aviation safety and security regulators may get the powers to fine airlines and airports up to ₹1 crore for violations, ahead of a key UN body audit early next year.

The civil aviation ministry has sought Cabinet approval for amending the Aircraft Act, 1934, to give more powers to the Directorate General of Civil Aviation (DGCA) and the Bureau of Civil Aviation Security (BCAS).

A Bill would be introduced in the upcoming Parliament session after the Cabinet nod, it is learnt.

Currently, the DGCA can suspend or cancel licences of operators. Pilots and engineers can also face suspension for safety violations. The DGCA, however, cannot impose fines. Similarly, BCAS can order removal of an employee from an aviation security function for negligence or lapse. Currently, the law provides for penalties from ₹2-10 lakh but these can be levied only after a court order. However, there has been no levy till date.

The National Civil Aviation Policy 2016 had proposed giving more powers to the regulators and the issue is being taken up now in view of the International Civil Aviation Organisation (ICAO) audit early next year.

The ICAO, had in its November 2017 audit, had made certain observations regarding licensing of professionals and aviation legislation in the country. The ICAO's universal safety oversight audit covers eight areas and India had fared poorly in the area of licensing of aviation professionals. India's score in this area was way below the global average and the country's overall safety score fell from 65.8 to 55.7 per cent in 2017.

Even Pakistan and Bangladesh fared better in their respective audits in 2017. In a subsequent audit in 2018, India's overall score improved to 70.8 per cent.



MORE POWER TO THE REGULATORS

- Amendment in Aircraft Act would give DGCA power to impose fines ranging from ₹2 lakh to ₹1 crore
- Violations liable for fines include flying without a valid licence and medical fitness, pilots and crew caught drunk on duty, not deploying minimum required cabin crew for flights, non adherence to safety directives
- Airports could face fines for poor runway quality
- India fared poorly in ICAO safety audit in 2017 when even Pakistan and Bangladesh performed better. Audit planned early next year
- DGCA studying customer grievances to improve functioning of Air Sewa mobile app

To improve its safety performance, the DGCA has initiated licensing of 3,000 air traffic controllers and hopes to complete the task by December. Another observation of the ICAO pertained to legislation. It noted that regulators did not have powers to impose fines, thereby weakening enforcement of rules. Accordingly, the amendment has proposed allowing fines ranging from ₹2 lakh to ₹1 crore.

Now, airlines could be penalised if pilots or crew are caught drunk on duty, for not deploying minimum required number of cabin crew for duty and non-adherence to safety directives. Airports could face fines for shoddy upkeep of runways resulting in poor braking action.

"We hope the measures will help us improve our safety score further in the ICAO audit. The fines will serve as a deterrent against violations," an official said.

"Giving regulators the power to penalise will help improve safety but there has to be proper safeguard and transparency. The powers should be used

judiciously and fairly," said A K Chopra, retired joint director general, DGCA. The government also hopes that the provision of monetary fines will lead to improvement in customer service.

"The DGCA has formed a team, which includes officials from the Indian Statistical Institute, to study customer complaints. Data will be collected and airlines will be show-caused if the rate of redressal is found to be unsatisfactory. The data will also be put out on a public platform," a senior DGCA official said.

The civil aviation ministry had launched a mobile app, Air Sewa, for addressing passenger grievances but there is a feeling within the government that it has not given the desired results. Air Sewa registers complaints, forwards them to airlines and airports. But the status of redressal is not properly checked. If the companies say that the problem is solved, then a complaint is closed. Real redressal is very less," said an official of the ministry of civil aviation.

"Not redressing passenger complaints will also be counted as a violation of civil aviation regulations," the official added.

Duty drawback rates for gold, silver jewellery exports surge

RAJESH BHAYANI
Mumbai, 16 November

The Union ministry of finance has announced a sharp increase in duty drawback rates for gold and silver jewellery with effect from Saturday.

On Friday night, the ministry issued a notification in this regard. The move is expected to increase viability of jewellery exports for those who opt for the drawback route.

The duty drawback amount has been increased from ₹272 to ₹372.9 per gram for gold jewellery. Earlier, it was covering 63.27 per cent of the import duty paid which has gone up to 86.74 per cent. And for silver jewellery, drawback rates have been increased from ₹3,254 to ₹4,332.2 per kg. It covers 83.53 per cent of the duty paid from the earlier 62.74 per cent. Calculations are based on the current tariff value.

Surendra Mehta, national secretary of the Indian Bullion and Jewellers Association (IBJA), said, "Duty drawback is

THEN AND NOW



₹372.9 per gram is the new duty drawback amount for gold jewellery	₹272 per gram was the old rate	₹4,332.2 per kg is the new drawback rate for silver jewellery	₹3,254 was the amount earlier
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Note: Calculations are based on the current tariff value

now almost 87 per cent of the duty amount and earlier it was 63 per cent. Lower drawback has been affecting our exports. Increase in this is an extremely positive step towards export of gold and silver jewellery for those who opt for the scheme. Exports were affected after gold and silver prices started rising and the government also raised duty and tariff of the two precious metals but did not increase duty drawback."

Export of gold jewellery from the country is \$1 billion per

month. For gold and silver jewellery exports, two other routes are also available. One is replenishment and the other is importing gold under the advance authorisation scheme. However, a month ago, the government had said that advance authorisation will not be issued where items of export are gold medallions and coins or any jewellery/articles manufactured by a fully mechanised process.

This advance authorisation scheme allows exporters to import gold duty free for export

purposes. Since there were reports of the scheme being misused, the government restricted its use as it would hurt genuine exports. This also seems to have acted as a trigger to increase drawback rates.

IBJA also wrote to the government in August about unviability of exports as rates were quite low. This anomaly has largely been corrected now.

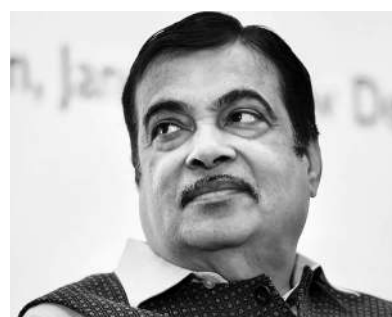
Responding to the move, Colin Shah, vice-chairman of Gem and Jewellery Export Promotion Council, said, "This will especially benefit small exporters for whom gold is not available in small tranches and also small town exporters, who do not have access to duty free gold. As a policy, the Centre should encourage exporters to adopt the duty drawback route as it helps all and thus broad bases the exports. However, the full duty benefit is not available through the drawback route. Our demand to the government is to refund the import duty at the rate which is prevalent on the day of exports."

Govt working on policy for MSME exports

PRESS TRUST OF INDIA
Nagpur, 16 November

The government is working on two policies to increase MSME exports and bring down imports by encouraging local production, Union MSME and Road Transport Minister Nitin Gadkari said on Saturday.

While addressing the gathering at Small Micro Enterprise (SME) conference at Nagpur, Gadkari mentioned that the MSME sector has 29 per cent contribution in country's growth and 48 per cent of export is done through MSMEs. Similarly, about 10-11 million jobs have been created in MSMEs. "The government is working on two policies. Firstly on the industries which are into export business — how to support and increase their export," the minister said. The leather industry has a total turnover



About 48% of export is done via MSMEs, said Union Minister Nitin Gadkari

of ₹1,40,000 crore of which ₹80,000 crore to ₹90,000 crore is domestic and around ₹45,000-50,000 crore is from export. "I have suggested them on working on

modernisation, upgradation, product designing and how to reduce the cost of production and improve quality, so that our share increases in the international market. We are working on a policy on how to strengthen export business," Gadkari said.

He said that secondly, the government is working on policy to increase indigenous production of products that are being imported. "The products that being particularly imported should get manufactured in the country itself. We are in talks with the commerce ministry on these two policies and it is in the final stages," said Gadkari.

Gadkari emphasised on three important factors — reducing capital cost, power cost and logistic cost — to become competitive in international market and these factors have also been discussed while making the new policy.

HEALTH

FIT & PROPER

Your weekly health guide

7 steps to fight breast cancer



JAYASREE REDDY
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Breast Cancer can be devastating for any woman. If you are above 50, your struggle will increase significantly. There are a few things that you can do apart from the treatment that will help you fight breast cancer. This includes keeping your weight in check, being physically active, eating fruits and vegetables, avoid alcohol and cigarettes, etc. Here are the 7 steps that will help you fight breast cancer:

Stay informed
Getting yourself educated regarding breast cancer is the most important step. You need to learn all there is to learn about your cancer and what are the best ways to treat it. You need to understand your cancer before you start researching or else you will end up wasting a lot of time. Ask your doctor where you can get information regarding your cancer. Staying informed will not only help you avoid all the myths regarding cancer but also get better treatment.

Know your comfort level
There are two types of patients. After getting diagnosed with cancer, some of them want to know everything they can immediately. Then there are others who aren't comfortable knowing too much about their condition. They don't want to know too many specifics. If you are the former one, you can ask for help from your family or friends who can help you get the right information.

Talk to the doctor
Whether you want to know everything about your condition or not, you need to talk to your doctor and resolve all your

queries. Write down all the questions you have before meeting with the doctor. Research the condition and take notes. You can find several potential questions online. You can even read the stories of survivors.

Support
It is always good to have a friend or a family member accompany you to your appointments. They not only provide support but also act as another set of ears. A friend is a much better option in this case because family members are too close to this and are as upset and emotionally vulnerable as the patient. You can try recording the appointment or taking notes. Many people are so overwhelmed that they don't hear or understand a thing their doctor says.

Rock the boat
Many cancer patients fear consciously or subconsciously that if they get upset about something, their family members or the doctors will abandon them. This fear multiplies tenfold when the patients are old because they know they will need their support. This feeling of fear and vulnerability will only increase during the treatment. Rocking the boat here means that you don't have to accept everything your doctor is saying. You should try taking a second or third opinion.

Talk to other patients
Speaking with other survivors will not only give you hope but also help in getting the right treatment. Many previous cancer patients volunteer to help other cancer patients with the same diagnosis. Internet is great for researching but it can also scare you to death. Hearing people's stories will help you stay strong during the whole treatment.

Other tools
There are several groups and hotlines that a cancer patient can use. Not only do they help you get in touch with other cancer patients but also aid in getting the right treatment.

US judge reduces J&J fine after mistaking thousands for millions

JAN HOFFMAN
New York, 16 November

In a mortifying mistake destined to be cited by gleeful math teachers everywhere, an Oklahoma judge acknowledged that he was three decimal places off — mistaking thousands for millions — when he originally calculated the amount Johnson & Johnson should pay for its role in the state's opioids crisis.

As a result, Judge Thad Balkman announced on Friday a new fine, reduced by about \$107 million. The total is now \$465 million, down from the \$572 million he assessed in August.

The miscalculation came when he was assessing various costs to the state to deal with addiction and prevention issues stemming from opioids. In his August order, Judge Balkman listed the yearly price to train Oklahoma birthing hospitals to evaluate infants with opioids in their systems at \$107,683,000.

The amount was actually \$107,683. He was alerted to the mistake by lawyers for Johnson & Johnson, whose accountants did what students have always been urged to do. They checked his math. They counted zeros.

From the team at NYT Parenting: Get the latest news and guidance for parents. We'll celebrate the little parenting moments that mean a lot — and share stories that matter to families. "That will be the last time I use that calculator," Judge Balkman said in an October hearing about the dispute.

The judge's order on Friday is the final decision from last summer's landmark eight-week trial, the first state trial to deter-



The miscalculation came when he was assessing various costs to the state to deal with addiction and prevention issues stemming from opioids

mine whether pharmaceutical companies could be held liable for the opioid disaster. His ruling highlighted two challenges that opioid plaintiffs face: how to calculate the cost of damage wrought by opioids and how to assign blame.

Those questions are at the heart of thousands of opioid lawsuits, brought by cities, counties and states nationwide, against a much broader swath of drug manufacturers, as well as distributors and pharmacy chains. On its face, the revised Johnson & Johnson fine may signal that expectations for a whopping payout may now have to be managed carefully. Even in August, when Judge Balkman arrived at the higher award, the company's stocks performed well, suggesting that shareholders considered the amount relatively insignificant.

But legal experts cautioned against reading too much into Friday's order. John C Coffee Jr, director of the Center on Corporate Governance at Columbia Law School, said he viewed the Oklahoma case as singular. "It only proved that a less-than-strong case against the one defendant who did not settle because it felt it could win, could still produce a plaintiff's victory, although a modest one."

In contrast, two Ohio counties recently wrestled settlements worth \$320 million from opioid distributors and manufacturers. The next opioid trial, currently set for March 20, will be brought by New York State and Suffolk and Nassau Counties against an array of opioid manufacturers and distributors with deep pockets, including Johnson & Johnson.

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Belly fat cells may be targets for age-related diseases, says study

PRESS TRUST OF INDIA
New York, 16 November

Some types of belly fat accumulate around organs as animals age, contributing to increased inflammation and metabolic decline, according to a study which may offer new ways to tackle age-related diseases.

The researchers, including Indian origin scientist Vishwa Deep Dixit from Yale University in the US, said the human body's ability to generate energy by burning the belly fat reduces with age.

Dixit's lab had earlier found that the immune cells needed for the fat-burning process — called macrophages — were still active, but their overall numbers declined as belly fat increased with ageing.

In the current study, the researchers found that Adipose B cells in belly fat proliferated as animals aged, contributing to increased inflammation and metabolic decline.

"These adipose B cells are a unique source of inflammation," Dixit said.

"Normally the B cells produce antibodies, and defend against infection. But with ageing, the increased adipose B

cells become dysfunctional, contributing to metabolic disease," he added.

Dixit added that some B cells expanded as needed to protect the body from infection, and contracted to their natural state.

But with ageing, he said, they don't contract in the belly fat. "This predisposes an animal to diabetes and metabolic dysfunction like inability to burn fat," he said.

Dixit suspects that an increased human life expectancy may be behind this — pushing the body's cells beyond the limits imposed by evolution.

"Several mechanisms in the body are not selected for longevity," he said.

The researchers also discovered that adipose B cells expand by receiving signals from nearby macrophages.

They found that the expansion process could be reversed to protect against age-induced decline in metabolic health by reducing the macrophage signal and by removing adipose B cells.

Dixit theorised that some drugs could be repurposed to target the dysfunctional adipose B cells for improved health outcomes.

When insurance covers IVF, more women use it

LINDA CARROLL
16 November

When insurance covers in vitro fertilisation, more women struggling with infertility, especially those with limited financial resources, will use the method to improve their chances of having a baby, a new study suggests.

Researchers found that when the University of Michigan's health insurance plan started covering IVF, use of the technology nearly tripled overall and increased by more than nine-fold among employees and dependents in lower-salary brackets, according to the report published in JAMA.

"It's important to realise that infertility is a disease and unlike many other diseases, historically it has not been well covered by health insurance," said

study leader Dr James Dupree from the University of Michigan in Ann Arbor. "Infertility does not appear to discriminate based on how much money you have or what kind of job you have. But people are not using IVF in the same way," Dupree said. "Insurance can help mitigate those disparities."

Dupree and his colleagues hope their findings will spur decision-makers in state governments and at companies to decide IVF ought to be covered, "from an access to care equity perspective," he said.

"As a urologist, I see the heartbreak, anguish and stress all the time," Dupree said. "I tell people we have this great treatment that will allow you to have children with your DNA. Then they start asking how much it costs. When they say they can't afford



it, it's heartbreaking."

When the University of Michigan began to cover IVF in 2015, Dupree and his colleagues saw an opportunity to study how big of an impact insurance coverage might make.

The researchers pored over claims

data from October 2012 to January 2017 for women aged 22 to 42. For the years 2015 through 2016, they were able to find information on IVF claims directly, unless women used clinics not affiliated with the university. For women who used a different clinic between 2015 and 2016 and women who might have had IVF before it was covered, the researchers needed to use surrogate measures to determine who had the procedure.

In those cases, "since we couldn't look for a bill for IVF, we needed a different method," Dupree said. "When women go through an IVF cycle they are given a very specific pattern of medications and they receive certain patterns of ultrasound, which were covered benefits that are visible in the paid claims."

When the researchers compared IVF related claims from 2013-2014 to those from 2015-2016, they found use of IVF nearly tripled, rising from 34.3 per 10,000 women to 92.6 per 10,000 women. When they looked at IVF use according to the insured employee's salary, they found the biggest jump — more than nine-fold — in low-salary brackets, with rates rising from roughly 8 per 10,000 women to nearly 79 per 10,000 in the low-salary group.

Women in the high salary group also saw an increase in use, but it was smaller, more than doubling, rising from roughly 57 per 10,000 to roughly 132 per 10,000. Fairness isn't the only reason for insurance companies to start paying for IVF, said Dr Mark Perloe, a reproductive endocrinologist at SGC Atlanta.

REUTERS