

Assam Bill Against Witch-Hunt

Syllabus: Salient Features Of Indian Society

In News

- President Ram Nath Kovind gave his assent to the **Assam Witch Hunting (Prohibition, Prevention and Protection) Bill, 2015** that the Assam assembly had passed three years ago.
- President's assent is required when an act passed by a state Assembly contravenes central law. In this case, the act contravenes sections of the Indian Penal Code (IPC) which deal with such crimes.
- It makes every offence under the Act "**cognizable, non-bailable and non-compoundable.**" The Act prescribes a prison term of up to **7 seven years** and up to **₹5 lakh** in fine for calling a person a witch. Punishment for leading a person to commit suicide after intimidating, stigmatising, defaming and accusing her as witch, may be extended to **life imprisonment**, along with Rs 5 lakh fine.
- Branding people, mostly women, as witch and killing them is a very old problem across Assam. It is a social malaise, which claims scores of lives in Assam's tea belt and tribal areas every year.
- Between 2001 and 2017, 193 people -- 114 women and 79 men -- have been branded as witch and killed.
- Witch hunting as a phenomenon is not confined only to the State of Assam; it has affected large parts of the country. States like Bihar, Odisha, Jharkhand and Maharashtra also have anti-witch hunt laws but the bill by Assam is said to be the strictest.

Causes Behind Witch-hunting

- It is rooted in **flawed quasi-religious beliefs, antiquated socio-cultural traditions** blended with extreme superstitious practices. Most causes of witch-hunt murders are prima facie based on superstitious belief that the 'witch' has magical powers that lead to death and disease in the community. However, a deeper dive in most cases reveals that they are usually a means to settle personal scores in the name of superstition.
- Patriarchy plays a major part in branding of women as even older women are not spared. These wise women normally command respect from the women folk in village. But they get victimised, as they create a support system for the women folks during the time of pregnancy and illness, challenging the dominance of the male quacks in the village.
- **Asserting patriarchal dominance over family property** is also often the reason behind witch hunting. In such cases family members begin calling the woman a witch. Later on superstitious beliefs and rumours are spread among the villagers about the woman in connivance with witch doctors.

Need For A Separate Law

- It was felt by different stakeholders that the existing legal solutions needed further tooth to weed out the menace of superstitious beliefs.
- Though such cases were registered and investigated mostly under IPC offences, some of the dimensions of the offences require a broader approach, thus calling for a separate legislation.
- Till date, the law views witch-hunt killings as murder cases. It is in this context that the legislation becomes even more crucial. A separate legislation facilitates **creation of separate data on witch-hunting cases distinctively different from other IPC offences.**

Other Efforts

- **Project Prahari**

The earliest concerted move to fight the practice was Project Prahari launched by police officer Kuladhar Saikia, the current DGP of Assam. Back in 2001, Mr. Saikia had launched Project Prahari (Prahari means **sentinel** in Assamese) as a model of community development that brought together various sections of the rural society to combat witch-hunting by focusing on alternative livelihood skills. Today, about a 100 tribal villages in Assam are under Project Prahari, which is currently also used as a case study by the Harvard Business Review.

It was felt that only law and order enforcing agencies could not adequately tackle such social crimes. It required the participation of women groups, students' organisations, science clubs, health workers. Apart from creating awareness among masses against this social evil, Project Prahari was initiated to **channel the community bond and energy towards constructive purposes**, such as building bridges and roads.

- **Mission Birubala**

Mission Birubala, has been at the forefront of Assam's anti-witch-hunt campaign since 2011. The face of the Mission Birubala movement is **Birubala Rabha**, a tribal villager from Goalpara, who in 2005 singlehandedly started raising her voice against the practice after being branded a witch herself. Between August and September, Mission Birubala is holding a **massive awareness drive in the districts** most affected by witch hunting.

- **Judicial injunction**

Last year, the Gauhati High Court observed that branding a person as a witch and then resorting to witch-hunting was a **dehumanising act** and **one of the worst forms of human rights violations**. Disposing of a criminal appeal filed by three persons, a two-judge division bench had observed that the menace had to be confronted at multiple levels.

Conclusion

Implementation of a legislation is definitely an important task for the police but one must remember that social practices like witch-hunting based on superstitious beliefs are to be countered socially. The state police, now along with members of the civil society, should work towards spreading awareness about the new law throughout rural Assam in order to eradicate this inhuman practice and pull society out from the dungeons of superstitions which acts as a huge impediment in the growth and development of the nation.

Adultery Law: Whether It Should Be Repudiated

Syllabus: Salient Features Of Indian Society

In News

The government has recently submitted before the Supreme Court that dropping of adultery as an offence from the Indian Penal Code (IPC) will erode the sanctity of marriage and be detrimental to the intrinsic Indian ethos.

Arguments In Favour Of Adultery Law

- **Protection of marriage structure:** The provision punishing adultery i.e. Section 497 of IPC supports, safeguards and protects the institution of marriage considering the unique structure and culture of Indian society.

- **Destroy the fabric of society:** The striking down Section 497 would destroy the fabric of society itself.

Section 497 IPC

It says whoever has sexual intercourse with a person who is and has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape is guilty of the offence of adultery.

Arguments Against Adultery Law

- **Patriarchal Law:** The law on adultery as it exists is a patronizing bundle of patriarchal logic. Only a married man is allowed to invoke Section 497 against another man if the latter has had a sexual relationship with his wife. If a woman has a similar grievance against her husband, she cannot approach the courts.
- **Treat women as a property:** The offence of adultery ceases the moment it is established that the husband connived with or consented to the adulterous act. Thus, treats married woman as the property of her husband or a passive object without a mind of her own. This violates the constitutional concepts of gender equality and sensitivity.
- **Raise question over individual independence:** The provision really creates a dent in the individual independent identity of a woman, when the emphasis is laid on the connivance or consent of the husband.
- **Discrimination against men:** The Section 497 has also been challenged on the grounds that it discriminated against men and violated **Articles 14, 15 and 21** of the Constitution. The Section 497 treats the man as the adulterer and the married woman as a victim. The punishment for adultery should not solely be borne by men as is the case now, but shared by women also.

Way Forward

Human beings live and love on a broad spectrum of relationships and desires, some of which transgress social norms. But if such a relationship is consensual and non-violent, it is not the business of the state to police it. Nor should the state invoke the paranoia of the collapse of social order to criminalize a breakdown in marital relations.

Make Child Marriages Invalid

Syllabus: Salient Features Of Indian Society

In News

- The Women and Child Development (WCD) Ministry is set to move the cabinet to make all child marriages invalid.
- In 2006, India passed the **Prohibition of Child Marriage Act (PCMA)** - by replacing the earlier legislation of Child Marriage Restraint Act 1929 - to combat the widespread practice of child marriage. The PCMA prohibits the solemnization of child marriage below the age of 18 for girls and 21 for boys.
- Currently, **child marriages are valid in India**, but can be annulled if a case is filed in a district court by either of the two contracting parties within two years of becoming an adult, or through a guardian in case of minors.
- The Ministry seeks to make child marriages “**void ab initio**” (invalid from the outset) by amending section 3 of the Prohibition of Child Marriage Act, under which a child marriage is *only voidable at the option of the contracting parties*.
- The proposal of the Ministry, if approved, would amend the law that allows child marriages to continue, despite the **Supreme Court ruling** that “**sexual intercourse with a minor wife amounts**

to rape as under no circumstance can a child below 18 years give consent, express or implied, for sexual intercourse”.

SC Judgement

- In October 2017, the Supreme Court held that sexual intercourse by a man with his wife, who is below 18 years of age, is rape.
- The court **read down Exception 2 to Section 375 (rape) of the Indian Penal Code (IPC)**, which allowed the husband of a girl child between 15 and 18 years of age, blanket liberty and freedom to have non-consensual sexual intercourse with her. The husband in such cases was not punished for rape.
- The exception had remained an anomaly because Section 375 itself mandated that sex with a girl below 18 years of age, with or without her consent, was **statutory rape**. An unmarried girl child can prosecute her rapist, but a married girl child aged between 15 and 18 could not even do that, which amounts to injustice.
- The court held that the exception clause to rape, carved out in the IPC, created an **unnecessary and artificial distinction between a married girl child and an unmarried girl child**. The clause took away the right of a girl child to bodily integrity and reproductive choice.
- The Supreme Court held that a girl child below the age of 18 cannot be treated as a commodity having no say over her body or someone who has no right to deny sexual intercourse to her husband.

Child Marriage: A Perspective

Provisions Related To Child Marriage

Domestic Provisions

- The PCMA was intended to be a positive step forward from India’s prior legislation on child marriage, the 1929 Child Marriage Restraint Act, which had failed to curtail child marriages and to provide any remedies for married girls.
- Further, as per our constitutions, child marriage constitutes a **violation of fundamental rights** which guarantees every Indian citizen *freedom to life and personal liberty, non-discrimination and equality, free education between ages six to 14 years, and freedom from forced labor*.
- The **right to life envisaged in Article 21** of the Constitution of India is not merely a right to live an animal existence. This Court has repeatedly held that right to life means a right to live with human dignity and good health.
- The Constitution also establishes **DPSP** to provide children the opportunity to develop in a healthy manner with freedom and dignity, without exploitation or abandonment in addition to promoting the interest of marginalized groups and protecting them from social injustice and improving public health.

India’s Global And Regional Policy Commitments

- Several international human rights treaties, to which India is a party, recognize child marriage as a violation of women’s and girls’ rights. United Nations treaty-monitoring bodies and other mechanisms, including the **Universal Periodic Review by the Human Rights Council** and special procedures, have repeatedly reminded India of its obligations to eliminate child marriage and ensure remedies to married girls.
- **Sustainable Development Goals:** For the first time, a standalone Gender Equality Goal (Goal 5)

has been included in the newly agreed upon Sustainable Development Goals. Target 5.3 of Goal 5 enjoins upon all States to “eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations.”

- **South Asian Association for Regional Cooperation (SAARC):** India is a member of the South Asian Initiative to End Violence Against Children, an apex body of SAARC that adopted a **Regional Action Plan to End Child Marriage**.

Current Scenario

- However, despite the PCMA and other constitutional, legal and policy commitments to end the practice, **India continues to account for the highest number of child marriages in the world**. According to a study based on **Census 2011**, there are **2.3 crore child brides** in the country. The **National Family Health Survey (NFHS) 2015-16** also showed that **26.8 %** women were married off before they turned 18.
- The incidence is also much higher than the national average in rural areas (31.5 percent) as compared to urban areas (17.5 percent). The incidence of child marriage also varies by other factors, including caste, religion and education.
- Last year, **Karnataka** became the first state in the country to amend the central act to make child marriage “void ab initio.”
- Prohibition of Child Marriage Act of 2006, Protection of Children from Sexual Offences Act and Juvenile Justice Act, all define a “child” as someone who is below 18 years of age.

Factors Contributing To Child Marriage

- **Patriarchy:**
 - Child marriage in India is rooted in **gender inequality**, including **patriarchal social norms** that value women less than men and consider married women and girls to belong to their husband’s family.
 - Further, child marriage is also linked to **barriers in access to girl’s education, concerns about girls’ safety**, and the view that **women are an economic liability**, a belief fuelled in part by practices such as dowry and the high cost of weddings as well as the undervaluing of women’s work which is typically done at home.
- **Loopholes in India’s Laws on Child Marriage**
 - PMCA makes contracting a marriage by a man who is over 18 years of age with a woman under 18 years, a **cognizable and non-bailable offence** punishable with imprisonment of two years and a fine of Rs one lakh, **but recognizes the union as valid and voidable**.
 - In India, rights and obligations within the context of marriages are governed by **dual legal systems, general laws** that are applicable to the population as a whole versus **religion based personal status laws** which only apply to certain communities. This leads to a state of confusion as to whether the PCMA has primacy over religion based personal laws, which establish their own standards and procedures concerning solemnization and dissolution of marriage.
 - These gaps are compounded by weaknesses in criminal and civil laws on women’s rights, including laws on dowry, rape, domestic violence, and child sexual assault; guardianship laws; and laws on reproductive rights, education, and child labor.

• Loopholes in Implementation Of Laws

- Child marriage is fuelled by the **failure to strengthen and implement laws and policies to eliminate discrimination faced by women and girls**, including within marriage and in seeking maintenance and inheritance, freedom from and remedies for physical and sexual violence, education, employment, and reproductive health services.
- Child marriage in India is also linked to **low awareness of the law and consequences of violations**, limited capacity and willingness to report child marriages, and limited trust in institutions enforcing child marriage laws.

Sufferings Due to Child Marriage

- Child marriage affects both boys and girls; however, it **disproportionately affects girls' ability to enjoy their rights and freedoms**, especially due to the **serious risks of sexual and reproductive harms** associated with this practice, exposing women and girls to an increased risk of coerced sex, early, frequent and unintended pregnancy, maternal mortality and morbidity and sexually transmitted infections, including HIV/AIDS, as well as a heightened vulnerability to all forms of violence. Child marriage is linked to sexual violence, 32 % of married women aged 15-24 in India have experienced forced sex and young girls are three times more likely to experience marital rape.
- Courts in India have repeatedly recognized that child marriage is a human rights concern that creates a broad continuum of harm and **perpetuates discriminatory, submissive, and stereotyped roles of women**.
- Child marriage prevents girls from accessing education, including comprehensive sexuality education, thereby trapping generations of women and girls into a cyclical pattern of poverty.

Way Forward

- Develop a comprehensive curriculum for engaging the judiciary, police, and public prosecutors concerning child marriage and girls' rights under the PCMA and allied laws. Integrate periodic follow up sessions for all functionaries on legal developments.
- Increase women's and girls' **access to information** regarding legal remedies, including awareness raising campaigns for women and girls on their rights.
- Provide girls seeking to prevent or leave child marriages with **access to protection measures and other referral mechanisms**, including residence, medical support, and psychosocial counseling.
- **Strengthen implementation of laws on violence against women and children**, recognizing that child marriages often occur due to fears of increased risk of sexual violence when girls remain unmarried.
- Review and amend the definition of trafficking in relevant provisions of Indian Penal Code and anti-trafficking legislations to explicitly include child marriage for the purpose of trafficking.

Conclusion

Child marriage is actually 'a solemnised invasion' of a girl, her bodily integrity, her sexuality and her mind. Putting an end to the 'solemnised invasion' cannot be resolved through slogans, tokenism and cash transfers to postpone marriage. It has to be resolved through education, health services, nutritional support and by providing protection to girls which will create the desired ecosystem for the girl child to blossom into a healthy and successful woman.

World Population Day

Syllabus: Population and Associated Issues

In News

- **July 11** was established as World Population Day in 1989 by the **United Nations**, and since then it has been celebrated on this date every year.
- The United Nations recognises World Population day as an important event to **spread information of population-related issues across the globe**.
- This year marks the 50th anniversary of the **1968 International Conference on Human Rights**, where family planning was, for the first time, globally affirmed to be a human right. The conference's outcome document, known as the **Tehran Proclamation**, stated that parents have a basic human right to determine freely and responsibly the number and spacing of their children.
- **Theme for 2018: "Family Planning is a Human right"**

United Nations Population Fund (UNFPA)

- UNFPA began operations in 1969 as the United Nations Fund for Population Activities (the name was changed in 1987) under the administration of the United Nations Development Fund. In 1971, it was placed under the authority of the United Nations General Assembly.
- The UNFPA **works to support family planning** by trying to ensure supply of contraceptives, promoting gender equality, and in the process tries to strengthen the national health system.
- According to Dr. Natalia Kanem, Executive Director of UNFPA, **family planning is not only a matter of human rights but is also central to women's empowerment, reducing poverty and achieving sustainable growth**The United Nations has listed, '**Nine standards to uphold the human rights to family planning**' which include:
 - I. **Non-discrimination:** Family planning information and services can't be restricted on basis of race, sex, language, religion, political affiliation, national origin, age, economic status, place of residence, disability status, marital status, sexual orientation or gender identity.
 - II. **Available:** Countries must ensure that family planning commodities and services are accessible to everyone.
 - III. **Accessible:** Countries must ensure that family planning commodities and services are accessible to everyone.
 - IV. **Acceptable:** Contraceptive services and information must be provided in a dignified manner, respecting both modern medical ethics & cultures of those being accommodated.
 - V. **Good quality:** Family planning information must be clearly communicated and scientifically accurate.
 - VI. **Informed decision-making:** Every person must be empowered to make reproductive choices with full autonomy, free of pressure, coercion or misrepresentation.
 - VII. **Privacy and confidentiality:** All individuals must enjoy the right to privacy when seeking family planning information and services.
 - VIII. **Participation:** Countries have an obligation to ensure the active and informed participation of individuals in decisions that affect them, including health issues.
 - IX. **Accountability:** Health systems, education systems, leaders and policymakers must be accountable to the people they serve in all efforts to realize the human right to family planning.

Constitution, Polity, And Governance**Gujarat Government Grants Religious Minority Status To Jews**

Syllabus: Indian Constitution: Historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

In News

- The **Gujarat government** has decided to grant the status of **religious minority to Jews** in the state.
- Gujarat is now the **third state** in India to have granted minority status for Jews, following **Maharashtra and West Bengal**.
- With this, there are now **seven religious minorities in the state**. The other six are - Muslims, Christians, Sikhs, Parsis, Buddhists, and Jains.
- The Union Government accords the status of minority communities to six religious communities viz. Muslims, Christians, Sikhs, Zoroastrians (Parsis), Buddhists, and Jains.

Benefits

- Post this declaration, Jews shall get benefits of **welfare schemes** formulated for religious minority communities within the jurisdiction of Gujarat.
- Jews state that according minority status to them will ensure **better maintenance and security of their places of worship and burial**.
- Leaders of the community say that a few Jewish cemeteries have been taken over by land sharks in some parts of the state and most importantly, Jews face a threat from terrorist outfits as well.

Constitutional Provisions For Minorities

The **Constitution of India does not define the word minority** but refers to the word while according rights to religious and linguistic minorities. The Indian constitution enshrines various provisions for the protection of the rights and interest of the minorities

- **Article 25** of the constitution guarantees **freedom of religion** to every individual. This article ensures that the members of the religious minority community have the unhindered right to follow their own religion. The minority not only has the **right to follow** their own religion, they also have the **right to propagate** it. The state regulates the practice of a religion only when and to the extent it disturbs public peace.
- **Under Article 29**, the everyone (including minorities) have been given unrestricted rights to promote and preserve their own culture.
- Further, **Article 29** expressly **forbids discrimination on grounds of race, religion, caste, language, in admission to educational institutions run by the state or receiving aids from the state**. This means that linguistic, religious or ethnic minority students cannot be denied admission to such educational institutions.
- **Article 30** is vital to the protection and preservation of rights of the minorities. The minorities have been given the **right to establish and administer educational institutions of their choice**. The state also cannot discriminate against educational institutions established and managed by the minorities in matters of granting aids. Such educational institutions however must receive state recognition. The state educational authorities have the right to regulate such educational institutions because the right to manage does not include the right to mismanage.

Judaism

- Judaism is the religion of the Jewish people.
- It is an ancient, **monotheistic, Abrahamic religion** with the **Torah** as its foundational text.
- The Torah is part of the larger text known as the **Tanakh** or the Hebrew bible, and supplemental oral tradition represented by later texts such as the Midrash and the Talmud.
- Jews worship in **Synagogues** and their spiritual leaders are called **Rabbis**.

Sabrimala - Right of Temple Entry

Syllabus: Indian Constitution: Historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

In News

- The Ayyappa temple in Sabarimala, Kerala, prohibits women of menstruating age (between 10 and 50 years of age) from entering it, a prohibition enforced under Rule 3(b) of the **Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965**.
- The restriction finds its source in the legend that the Sabarimala temple deity Swami Ayyappa is a **Naishtika Brahmachari** and should not be disturbed.
- In the past three decades, this custom has evoked random resistance and protest from various segments of society. And has triggered a **long legal wrangle**.
- Following attempts by some women's groups to enter the temple disregarding the restrictions early this year, the authorities made **age proof mandatory for women to enter the temple**.
- The Kerala government, which has changed its position on quite a few occasions, finally stood behind the assertion that women should be allowed to offer prayers inside the temple premises.

Judicial Timeline

- A 1991 Kerala High Court judgment supported the restriction imposed on women devotees. It had found that the restriction was in place since time immemorial and not discriminatory to the Constitution.
- The Young Lawyers' Association filed a petition in the Supreme Court challenging this rule in 2006.
- In October 2017, a three-judge bench of the court referred the matter to a constitutional bench, which commenced hearings on the case from July 2018.

Arguments In Support Of The Ban

- The supporters of the ban in question have brought in **tradition, custom, mythology and other religions**, to justify why the status quo should not go.
- The practice should remain, because it has been around for ages and because it is **essential to the temple's and the presiding deity Lord Ayyappa's identity and the deity's own freedom**.
- Another line of argument the Travancore Devaswom Board has come up with is that women in the 10-50 age group were **barred because they can't observe the 41-day fast**.

Questions To Be Deliberated Upon

- The court will, foremost, consider if the practice is discriminatory and therefore violates the right to equality before law, protection from religious discrimination and the fundamental rights enshrined in the Constitution, or whether it qualifies as an "**essential religious practice**" under the purview of Article 25, which allows the freedom to follow religion in a manner one chooses.

- One of the key questions of law is **whether the Sabarimala Temple can be considered as a religious denomination of its own**, when it is **managed by a statutory board and financed as per Article 290-A of Constitution of India**.
- On one side is the freedom of religious denominations to decide who should enter or not enter their temples. On the other side is the right to equality of the women. It might boil down to be a **question of prioritizing rights**.

SC Observations

- The Supreme Court held that all the customary or religious practices, like banning entry of women in the age group of 10-50 years into the famous Sabarimala temple, **will have to conform to constitutional principles**. In a significant observation, the court said that the **right of a woman to pray is a constitutional right**, and it should not be dependent on law. Hence the ban runs afoul of their constitutional rights.
- It referred to **Articles 25 and 26** of the Constitution and said that a person can only be restrained on the grounds of "public health, public order and morality". Moreover, Article 25 mandates freedom of conscience and right to practice religion. "All persons are equally entitled to freedom of conscience and the right freely to profess, practice, and propagate religion". The denomination's right to manage its affairs in matters of religion are subject to Article 25(2)(b).
- The apex court has **called the ban arbitrary** as menstruation may begin before the age of 10 and menopause may hit women much earlier. The court is apparently not in agreement with the plea of the Devaswom Board that women of that age group were barred as they cannot observe purity and "penance" for a period of 41 days, a condition for undertaking the pilgrimage.
- CJI also opposed the stand that ceremonial rules pertaining to temples and method of worship are set by the temple and are protected under the right to worship saying, "**A temple cannot claim denominational rights.**"
- The court questioned how a temple managed by a statutory board the Travancore Devaswom Board and financed out of the Consolidated Fund of Kerala can indulge in practices violating constitutional principles/ morality.
- Even if it is assumed that entry of women in Sabarimala temple is barred by an 'essential religious practice', does that mean that the rights guaranteed to women under Articles 14 and 15 have to yield to the right of denominations under Article 26.
- The court stressed that the Constitution upheld the ideals of liberty of thought, expression, belief and faith, be it for man or woman.

Conclusion

- It is a good eighty-two years since the benevolent Temple Entry Proclamation of 1936 allowed all castes to enter temples in the erstwhile State of Travancore. And it is unfortunate that today when the world is celebrating International Women's Day, in India we are still debating on whether women should be allowed to enter places of worship where Gods dwell.
- We are contemplating on the purity of a woman and of her body, all because she menstruates. And this happens to be in God's own country.
- The decision would be one of immense consequence to the status of women and their dignity on one hand and the scope of freedom of religious denominations to manage matters of their religion on the other hand.
- The forward-thinking people of our country who believe in constitutional values can only hope that in the years to come, our country would see a social change through dynamic legislations and

judgments upholding the rights of women as against the patriarchal regressive misogynic religious prescriptions, whether it is Sabarimala or Nikah Halala.

L-G Is Bound By Aid And Advice Of Delhi Government

Syllabus: Issues & challenges pertaining to federal relations

In News

- A five-judge Constitution Bench of the Supreme Court (SC) unanimously held that Delhi Lieutenant-Governor is bound by the aid and advice of the Delhi government.
- The judgment came on appeals filed by the NCT government against a **2016 verdict of the Delhi High Court**, which had declared that the L-G has complete control of all matters regarding the National Capital Territory of Delhi and nothing will happen without the concurrence of the L-G.

Snapshot Of SC Judgement

- **LG does not possess independent decision-making:** The Lieutenant Governor has not been entrusted with any independent decision-making power. He has to either act on the aid and advice of the Council of Ministers or he is bound to implement the decision taken by the President on a reference being made by him.
- **People are sovereign:** It's the people who are sovereign and the decisions of the elected government in Delhi represent the public will, perception and popular sentiment.
- **Executive power co-extensive with the legislative power:** The Court made it clear that the executive power of the Government of National Capital Territory of Delhi (GNCTD) is co-extensive with the legislative power of the Delhi Assembly, which is envisaged in the Constitution and which extends over *all but three subjects in state list and all subjects in the concurrent list*.
- **LG's discretion limited to 3 subjects:** SC trimmed the LG's authority saying that he cannot exercise his discretion in each and every matter of daily governance. His discretionary powers are in fact limited to only 3 matters in the State List i.e. **public order, police and land** over which the legislative power of the Delhi Legislative Assembly stand excluded under **Article 239AA**.
- **LG bound by aid and advice of CoM:** The LG is bound by the aid and advice of his Council of Ministers in matters for which the Delhi legislative assembly has legislative powers. The only exception to this rule is a proviso to Article 239-AA, which allowed the LG to refer to the President any issue on which there was a difference of opinion with the council of ministers. In such a case, the court said the LG would be bound by the President's decision.
- **Trivial matters should not be sent to the President:** The court urged the LG against sending trivial differences of opinion with the NCT government to the President for a final decision.
- **Other issues do not require LG's concurrence:** The NCT government need only to inform the LG of its well-deliberated decisions. The government need not obtain his concurrence on every issue of day-to-day governance.

BREAKING DOWN SC RULING

WHY AAP IS CLAIMING VICTORY

- **LG bound by aid and advice of council of ministers**
- LG has **not been entrusted with any independent decision-making power**
- LG has to either act on the "aid and advice" of council of ministers or he is bound to implement the decision taken by the President on a reference being made by him
- The executive power of the council of ministers spans over all the subjects covered under the Concurrent list and the State list of the Constitution **except land, police, law and order**
- The status of LG of Delhi is **not that of a governor of state**
- LG is an administrator in a limited sense
- Delhi assembly, too, has powers to enact laws on the all subjects covered under the Concurrent list and the State list except land, police, law and order
- LG should not act in a mechanical manner without

due application of mind so as to refer every decision of the council of ministers to President

- The difference of opinion between LG and the council of ministers should have sound rationale and should not be the phenomenon of an **obstructionist**
- **LG must work harmoniously** with his ministers and must not seek to resist them every step of the way
- The decision of the council of ministers that has to be communicated to LG **does not mean that the concurrence of LG is required**
- Our Constitution is a constructive one. There is no room for absolutism. **There is no space for anarchy**
- LG being the administrative head of Delhi must be informed of all executive power, but **he cannot stall all the decision of council of ministers** who have been elected to address aims and aspirations of electorate



Arvind Kejriwal



Anil Bajjal, LG

WHAT DELHI HC HAD SAID

- “ LG is not bound to act only on the aid and advice of the council of ministers even on matters under preserve of the Delhi assembly**
- It is **mandatory to communicate the decision of the council of ministers to LG** even in relation to matters in respect of which power to make laws has been conferred on Delhi assembly
 - Order by elected govt can be issued only where the LG does not take a different view and if no reference to the Centre is required
 - **The matters connected with 'services' fall outside the purview of elected government.** HC upheld the MHA notification saying that LG shall in respect of matters connected with 'services' exercise the powers and discharge the functions of the central govt
 - Upheld Centre's direction that the **Anti-Corruption Branch of Delhi can't take any cognisance of offences against officers, employees and functionaries of the central govt**
 - Struck down a notification issued by Directorate of Vigilance, Delhi, appointing a commission of inquiry to probe grant of CNG fitness certificates in the transport department, since the same was issued without/concurrence of LG
 - Struck down similar commission of inquiry into allegations of irregularities in the working of DDCA
 - **Policy directions to DERC on disruption in power supply to consumers and payment of compensation are illegal** and unconstitutional since such policy directions cannot be issued without communicating to the LG

WHAT CENTRE SEES HAS GONE IN ITS FAVOUR

- The Centre has exclusive executive power over land, police, law and order
- By no stretch of imagination, can NCT of Delhi be accorded the status of state under the present constitutional scheme
- Parliament has the power to make laws for NCT of Delhi on any matter under the State list and the Concurrent list
- The executive action of the state must conform to the laws made by Parliament on certain subjects falling under Concurrent and State lists
- The Centre may, in exceptional cases, block decisions of council of ministers in national interest

OTHER KEY OBSERVATIONS

- Delhi enjoys a unique position under Constitution and neither LG nor the CM heading the council of ministers should consider themselves bigger than the other
- LG and CM are constitutional functionaries who must work harmoniously with mutual respect and none of them should feel superior to the other

Judgment's Analysis

- **Balancing act:** The judgment essentially reaffirms the constitutional position that the Lt. Governor has to ordinarily act on the aid and advice of the Council of Ministers. At the same time, it has retained the Lt. Governor's powers to refer matters to the President for a decision.
- **Circumscribing power of LG to refer to the President:** The judgement has significantly circumscribed power to refer any matter to the President no longer means every matter. Justice D.Y. Chandrachud has indicated that reference could encompass substantial issues of finance and policy that impact upon the status of the national capital or implicate vital interests of the Union.
- **Ruled out power over 3 important subjects:** It has ruled out Delhi government's demand of full statehood and the critical powers over police, land and public order that still remain vested with the Centre.
- **Lack of clarity on the control over the issue of services:** The judgement made no mention on who has the authority over the services department that has been at the heart of AAP's tussle with the state bureaucracy. This issue could lead to another tussle between the Delhi government and bureaucracy.

Way forward

- The court having stressed that the elected government is the main authority in Delhi's administration, thus the controversies over the arbitrary withholding of Cabinet decisions may end or at least diminish.

- The basic message is that an unelected administrator cannot undermine an elected government. The larger one is that the Union and its units should embrace a collaborative federal architecture for co-existence and inter-dependence.
- The capital's troubles with pollution, water scarcity and multiplicity of agencies working at cross purposes require an administration focused on untangling the knots and not distracted by incessant politicking. The SC verdict shows the way.

Election of Deputy Chairperson of Rajya Sabha

Syllabus: Parliament and State Legislatures- structure, functioning, conduct of business etc.

In News

- **Introduction:** Amid talks of who would be fielded by the NDA and the combined opposition against each other for the post of Deputy Chairperson of the Rajya Sabha one of the options before the government is to not go for elections to the post in the forthcoming monsoon session of Parliament. After the recent drubbing in several Lok Sabha and Vidhan Sabha by-polls BJP led NDA may not want to face another defeat in the Deputy Chairperson election that would show it in poor light.
- **No time frame:** The Constitution is silent on the time period within which the Deputy Chairperson of the Upper House should be chosen. **Article Article 89(2)** of the Constitution states that the Council of States shall as soon as may be, choose a member of the Council to be Deputy Chairman thereof and so often as the office of Deputy Chairman becomes vacant the Council shall choose another member to be Deputy Chairman thereof.
- **Precedence:** There is also the precedent of the post of Deputy Chairperson remaining vacant for more than four months. Kurien became Deputy Chairperson on August 21, 2012 a full four months and 19 days after his predecessor K Rahman Khan completed his term on April 2, 2012.
- **No convention on post going to opposite party:** Unlike the Lok Sabha where the Deputy Speaker's post conventionally goes to the opposition, the Rajya Sabha has no such practice.
- **Vacancy does not impact business of the house:** The post of Deputy Chairperson remaining vacant does not affect the business of the Rajya Sabha. As per the rules of procedure, the Vice President appoints a panel of **6 Vice Chairmen** to preside over the House in the absence of the Vice President of India and the Deputy Chairperson.

DNA Profiling Bill

Syllabus: Government Policies and Interventions For Development In Various Sectors and issues arising out of their design and implementation.

In News

The Union Cabinet has approved the setting up of a regulatory body for DNA laboratories and **The DNA Technology (Use and Application) Regulation Bill, 2018** to regulate the use of human DNA.

Provisions Of The Bill

- **Accreditation and Regulation of DNA labs:** The bill provides mandatory accreditation and regulation to DNA laboratories.
- **DNA Databank:** A National DNA Databank and certain regional DNA Databanks will store DNA profiles received from DNA labs in a specified format. The DNA Databank will have various **categories of indices** such as crime scene index, suspect index or undertrials index, offenders index and missing persons index.

- **DNA Collection Only With Consent:** The Bill states that DNA information cannot be taken from an arrested person without consent. The exception is only for specified offences, though the Bill does not elaborate on this. Samples can also be obtained from persons who are witness to a crime or want to locate their missing relatives or in similar instances in which they can volunteer in writing, to offer their DNA samples for a specific purpose. But volunteer samples would not be stored in any index. In case, the Bill states, a suspect or criminal refuses to give consent for DNA collection and his/her DNA information is considered vital for investigation of a crime, the DNA information can be collected from him only with the approval of a magistrate.
- **DNA Regulatory Board:** The Board, which will have regional offices as required, will certify labs authorised to carry out DNA testing; approve establishment of DNA databanks and supervise their functioning; and lay down procedures and guidelines for collection, storing, sharing and deletion of DNA information. The **Secretary to the Department of Biotechnology** has been made the ex-officio chairman of the proposed DNA Regulatory Board.
- **Limited Purpose Use of DNA:** The Bill states that the DNA data, including DNA profiles, samples and records, contained in any DNA labs and Databank shall be made available only to facilitate the identification of persons in criminal cases in accordance with the rules of admissibility of evidence, to facilitate prosecution or defence and in investigations relating to civil matters.
- **Safeguard Against Misuse:** The Bill states that disclosure of DNA information to unauthorized persons or for unauthorized purposes shall lead to penalties: up to **three years** in jail and up to **Rs 1 lakh** as fine.

Benefits Of The Bill

- **Improve Justice Delivery:** The bill is meant to expand the application of DNA-based forensic technologies to support and strengthen justice delivery system in the country. As DNA profiling has proved to be an invaluable and basic tool in exonerating innocents.

USING DNA TECHNOLOGY: INDIA AND SOME OTHER COUNTRIES		
More than 50 countries have passed similar laws regulating DNA tests. The USA has the DNA Identification Act of 1994; the UK passed the Criminal Justice and Public Order Act in 1994 and the Criminal Justice and Police Act in 2001. Canada has the DNA Identification Act, 1998. Norway, Finland, Belgium, Denmark, Australia, New Zealand too have similar laws.		
COUNTRY	CRITERIA FOR ENTRY IN DNA DATABASE	CRITERIA FOR REMOVAL FROM DATABASE
India (draft)	Convicted persons, suspects accused of specific crimes. Samples collected from crime scene.	Information from crime scene to be retained, except of those who are neither convicts nor suspects. Not clear for convicts. Suspect profile to be removed after filing of police report.
US	Convicted sex offenders; in most states all convicts. Some states specify the offences for which DNA profiles are a must.	Different states have different criteria but most of them have spelt them out clearly.
UK	Convicts, arrested people, all crime scene stains.	Convicted persons and suspects' profiles retained indefinitely. Samples picked up from crime scene retained till they are identified.
Germany	Convicts of serious offences or repeat offenders of minor crimes, suspects charged of serious crimes, samples from crime scene.	Convicted persons and suspects' profiles removed when no longer required. Those picked from crime scenes deleted after 30 years.
France	Those convicted or charged with serious crimes. Crime scene stains when relevant.	Convicted persons' profile kept for 40 years, suspects' profiles kept until they no longer serve original purpose. Crime scene information deleted after 40 years.

- **Improve Conviction Rate:** DNA profiling can help in solving crimes such as murder, rape, human trafficking, theft and burglary. Figures from the National Crime Records Bureau suggest that more than three lakh such crimes take place every year in the country. However, the conviction rate is about **30%**. Expanding the use of DNA testing will improve conviction rates and speed up justice delivery.

- **Reliability of Test And Privacy:** It seeks to ensure that DNA test results are reliable and the data is protected from misuse or abuse in terms of people's privacy rights.
- **Use During Disaster To Identify Missing Individual:** The proposed legislation will enable cross-matching of DNA of persons reported missing and unidentified dead bodies found in the country and also for establishing the identity of victims during mass disasters.

Way forward

- The concerns about misuse and invasion of privacy need to be addressed. Therefore, the language of the Bill specifying whose DNA picked up from a crime scene would be stored should be more specific.
- Moreover, DNA profiling would help only if the police maintain the integrity of crime scenes by disallowing contamination. That calls for greater training and behavioral change. The success of any advance in investigative technique depends on how it is wielded. Investigators must keep up with their tools.

(For Further Details, Refer May 2018 Issue-Government to Table DNA Profiling Bill)

TRAI Data Privacy Blueprint

Syllabus: Government Policies and Interventions For Development In Various Sectors and issues arising out of their design and implementation.

In News

- The Telecom Regulatory Authority of India (TRAI) has released a set of recommendations titled '*Privacy, Security and Ownership of Data in the Telecom Sector*', the first data privacy blueprint by a statutory body.
- Although not binding, the recommendations can be seen as inputs to the **Draft Data Protection Bill** that is likely to be released soon by a Ministry of Electronics and Technology committee led by retired Supreme Court **Justice B N Srikrishna**.
- Moreover, the recommendations assume importance in view of various cases of data breach, including the recent one involving millions of users of social media giant Facebook.

Suggested Regulation of TRAI

- **Rule to apply to even to government:** The data protection framework should apply equally to the government and to private entities.
- **Licensing for entities dealing in data:** India's telecom watchdog has suggested regulation of all entities dealing with consumer data (not just Telecom's) such as devices such as iPhones, operating systems such as Android, browsers like Google's Chrome and apps such as Facebook, Paytm, Uber or Zomato. Thus, it has suggested expanding the ambit of licence conditions governing Telecom's to all entities handling customer information.
- **User the owner of data:** The Telecom watchdog further said that individual users owned their data or personal information and entities such as devices were mere custodians and do not have primary rights over that information.
- **User to be allowed deletion of pre installed apps:** The recommendation also mandates devices to disclose the terms and conditions of use before their sale and to allow consumers to delete even pre-installed apps or download any pre-certified app without restriction.

Rights conferred on user:

The right to choice, notice, consent, data portability and right to be forgotten should be conferred upon the telecom consumers.

Short template agreement be created:

It also mandated that all entities create short templates of agreements or terms and conditions that should be available in multiple languages, easy to understand and unbiased.

No pre-ticked boxes:

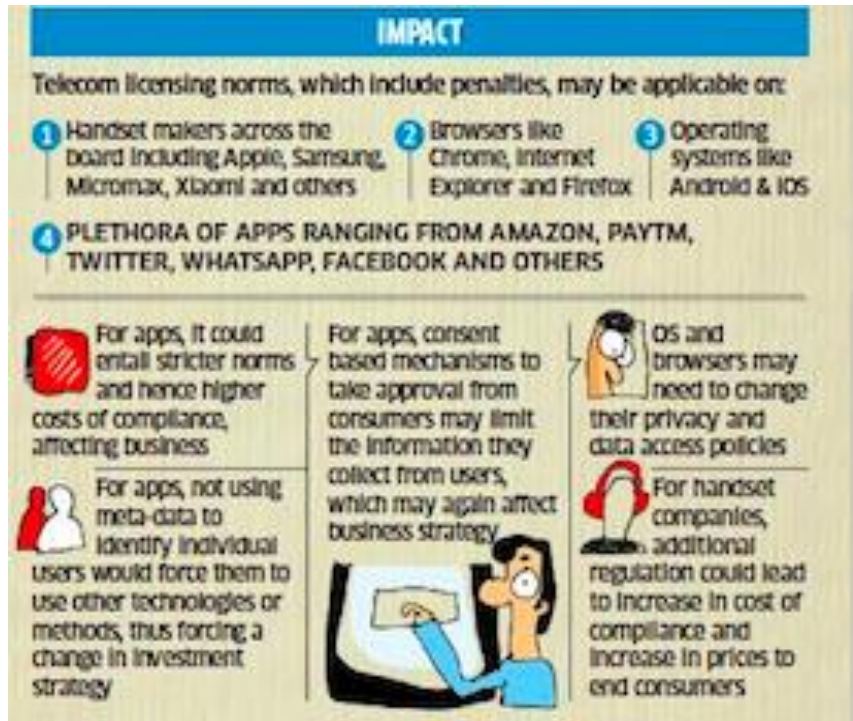
It has also recommended prohibiting use of pre-ticked boxes to gain users consent.

Platform for information sharing on data breach:

A common platform for sharing of information relating to data security breaches by all entities, including Teleco's, should be created.

National policy on encryption of personal data:

The personal data of telecom consumers over 1 billion should be stored in encrypted form, in the digital ecosystem. Further, a national policy for encryption of personal data, generated and collected in the digital eco-system should be notified by the government to ensure privacy of users.



Opposition

DoT does not possess this mandate:

The Department of Telecommunications (DoT) to which the suggestions have been sent does not have the ambit to frame laws to regulate apps, operating systems and browsers.

Stifle innovation:

The content providers have opposed to being brought under more regulation. And says any further regulation would stifle innovation.

Content provider already regulated & can't be equated with Teleco's:

They say that they are already covered under the IT Act and that they should not be equated with Teleco's that operate in a different market.

Nature of data not specified:

The recommendations talk about the user having the right to own his data, but ultimately the question is what kind of personal data: Is it only name or address, or more details like location, ethnic origin, political opinion, religious beliefs, trade union activities, as in the European General Data Protection Regulation.

Doesn't provide exception:

The report addressed three areas where privacy exceptions could potentially be legitimate such as law enforcement, research, and quality of services, but did not make any specific exception recommendations.

Question raised over right to forgotten:

Another point is that the 'right to be forgotten' as recommended by TRAI could raise a lot of questions amongst the law enforcement agencies because in the case of criminals it will create problem if data is being deleted.

- **Difficulty in implementation:** The recommendations highlight that devices should disclose the terms and conditions of use, before their sale and that a user has the right to delete a pre-loaded app. This is not easy to implement. The only thing that can be strictly adhered to is not sharing data or monetizing them, without the consent of the user.
- **Doesn't cover cross border protection of data:** TRAI recommendations do not talk about cross-border protection of data. It is different for different countries, so certain jurisdictions do not follow it.
- **No clear stand on data localization:** The report though included advantages and disadvantages to data localization but did not take a clear stand on this issue.
- **Reasonable use may also become difficult:** Future technologies such as Artificial Intelligence and machine learning depend heavily on collecting user data. Then there are government agencies that use data analytics to keep tab on people for national security purposes. The Supreme Court has also clarified that right to privacy is not absolute and that the state can place reasonable restrictions on it in the interest of fulfilling objectives such as protecting national security, preventing & investigating crime, encouraging innovation, and preventing dissipation of social welfare benefits.
- **Increase in the compliance cost:** The companies will have to spend billions to ensure compliance of the laws. While large corporates may be in a position to foot the bill, smaller players could find it difficult to hire compliance staff and compile voluminous documentation.

Way forward:

- The TRAI needs to be commended for proposing strong data protection rules, putting the consumer at the centre. As India becomes one of the top bandwidth consuming nations in the world, it is important to put in place laws that ensures basic rights to users of data.
- The proposed data protection rules go beyond the mere prevention of illegal use of consumer data to ensuring that users are informed even when their data is being processed legitimately and the purpose for which it is being used. It empowers consumers to decide whether they want to allow their data to be used at all or whether it should be erased to leave no digital footprints. As the economy increasingly moves to the digital world, it is all the more important that users are appropriately protected.
- Moreover, any entity that collects or processes user data should adopt the **Blockchain technology**, which will ensure greater transparency and accountability. Moreover, Blockchain technology has been useful where the objective is to cryptographically secure information and make it available only on a need-to-know basis.

IAS Officers For Village Outreach

Syllabus: Government Policies and Interventions For Development In Various Sectors and issues arising out of their design and implementation.

In News

- A battalion of Central government officers has been drafted to ensure on the ground implementation as the Centre races to **saturate 117 “aspirational districts” with seven flagship social welfare schemes** by Independence Day.
- The Ministries of Rural Development, Panchayati Raj, and the Department of Personnel and Training are jointly coordinating the drive.
- Over the two-and-a-half month period, these Central officials are being absorbed into Extended Gram Swaraj Abhiyan (EGSA) duty for at least 15 working days.

- In each village, the Central team will convene a meeting of villagers and beneficiaries along with a State government or district official, a lead bank representative and local officials from the agencies responsible for enrolling people into the schemes.
- Central officers could direct the local representatives to **give immediate sanction for gas cylinders, bank accounts or electricity connections.**
- Senior Ministry officials also make direct daily calls to a section of District Collectors to monitor progress. The initiative is based on the idea that those who fund have the right to inspect and evaluate. The Centre's eagerness to understand the nature of implementation of EGSA cannot be faulted as the quality of implementation will naturally be uneven and suboptimal.

Concerns

- When the Planning Commission was alive, there was an institutional memory at the national level that helped mediate between the Centre and the states in such matters. Its successor NITI Aayog, however, seems to have no such mandate. In such a situation, the style of this outreach which stymies state governments and puts them on the dock for poor progress **poses larger issues of Centre-state relationship.**
- Evidently such short-term appraisal missions **do not have mandate to suggest long-term structural and systemic changes.** The energy that would be spent in finding fault & flagging shortcomings should ideally be harnessed to improve service delivery systems that prevail in states
- It is believed that this is a problematic way of going about welfare delivery. Constitutionally, while Centre has higher powers of taxation, the bulk of expenditure on welfare is to be done by the States
- Direct connections to the district administration **tend to bypass state administrations**, while sending out large Central teams to do the work of local officials fails to empower local human resources.

Gram Swaraj Yojana

- The campaign was launched under the name of **"Sabka Sath, Sabka Gaon, Sabka Vikas"**. It is in line with rural development schemes like "Antyodaya" – based on the **principle of convergence and saturation.**
- The seven schemes under the Yojana are – Pradhan Mantri Ujjwala Yojana, Saubhagya, Ujala scheme, Pradhan Mantri Jan Dhan Yojana, Pradhan Mantri Jeevan Jyoti Bima Yojana, Pradhan Mantri Suraksha Bima Yojana, and Mission Indradhanush.
- The objective of the 'Abhiyan' is to promote social harmony, reach out to poor rural households, obtain feedback on ongoing programmes, enrol in new initiatives, focus on doubling farmers' income, enhance livelihood opportunities and re-emphasise national priorities such as cleanliness and strengthen Panchayati Raj institutions

Telecast of Court Live Proceeding

Syllabus: Important aspects of governance, transparency and accountability (e-governance etc)

In News

- Live streaming of all court proceedings from the Supreme Court may soon become a reality with SC seeking a blueprint from the government indicating the cost, technology, and parameters within which court proceedings can be aired live.

- The Supreme Court had already passed an order in ***Pradyuman Bisht v. Union of India (2017)*** directing all High Courts to ensure CCTVs and audio and video recordings in subordinate courts.

Benefits Of Live Court Proceeding

- ***Right to know:*** The SC has acknowledged the right of a litigant to know the fate of his case. The litigant is entitled to know how the lawyer is dealing with a case, assessing lawyer's performance and how a judge is reacting to his case even if he is not present in the court.
- ***Spared from travel:*** People from far-flung States such as Tamil Nadu and Kerala do not have to travel all the way to the national capital for a day's hearing.
- ***Transparency:*** The live streaming will also make the justice delivery mechanism more accountable and transparent.
- ***Useful during appeal and review:*** Audio and video recordings of court proceedings can also be used at the time of review or appeal of a case
- ***End of adjournments:*** The live streaming will also end the adjournments due to unpreparedness of lawyers.
- ***Court decorum:*** The live streaming of the court proceeding will also force the lawyers to maintain court decorum. With lawyer's faces being seen, they will be forced to act in a dignified way, without raising their voices or interrupting court proceedings.
- ***Student learning:*** It would be a great learning experience for students by knowing about the intricacies and process of law.
- ***Problem of space resolved:*** The space is a huge problem in the normally overcrowded courts. This would ease the crowds in the court.
- ***International practice:*** The British courts proceedings are live-streamed and have resulted in various benefits. Moreover, the proceedings before the International Court of Justice in the case concerning former Indian Navy Officer Kulbhushan Jadhav, who was sentenced to death by a Pakistani Military Court, was also live streamed.

Challenges

- ***Impact on privacy and justice delivery:*** There is a challenge of live streaming cases involving national security concerns, matrimonial disputes and rape cases. A public viewing of marital dispute and rape case proceedings would seriously affect justice and amount to a violation of the fundamental right to privacy.
- ***Judiciary can't be equated with executive and legislature:*** The role of the judiciary cannot be equated with the roles of the legislature and the executive and Judges are accountable only to the rule of law and to the Constitution as established by law.
- ***Judge being subject to popular public opinion:*** Unwanted public gaze caused by live streaming will tend to make judges subject to popular public opinion.

Way forward

- To begin with, the scheme may be introduced in a few courts in the top court on an experimental basis and later extended to all courts in the country.
- But live streaming is neither called for in all types of matters nor in all courts. Live streaming or videography could be avoided in the matters that have a privacy dimension. The live proceeding should be allowed only for those matters that are of great public importance.

Amendment In the Prevention of Corruption Act






Syllabus: Important aspects of governance, transparency and accountability.

In News

The Rajya Sabha has passed the Prevention of Corruption (Amendment) Bill, 2013. The passage of the Bill, introduced by the erstwhile UPA government in 2013, is the culmination of a five-year process that saw the bill examined by a parliamentary standing committee, law commission and finally a select committee.

Provisions Of The Amendment Bill

- **Prior Sanction Before Initiating Inquiry:** The amended Bill proposes a shield for government employees, *including those retired*, from prosecution by making it mandatory for investigating agencies like the CBI to take prior approval from competent authority before conducting any enquiry against them. The Bill says such permission shall not be necessary in cases involving arrest of a person on the spot on the charge of accepting or attempting to accept any undue advantage for himself or for any other person.
- **Amendment in Section 19:** The contentious Section 19 of the old Act now stands amended saying criminal misconduct means “intentional illicit enrichment” and possession of “disproportionate assets” thus, essentially makes '***mens rea***' (presence of intention and enrichment) an essential prerequisite to prove corruption.
- **Punishment For Bribe Givers:** It seeks to make giving bribes to a public servant an offence punishable with imprisonment upto 7 years. However, persons who declare within 2 weeks that they were coerced into giving bribe shall be entitled to immunity.
- **Corporate bribery has been criminalized:** For the first time, superior functionaries of a commercial organisation will be held responsible if their employees or representatives are found to have bribed public servants with their approval for furthering the interest of their organisation.
- **Criminalizes gifts taking:** Sources said that gifts received for established undue advantage/malafide motive will now considered an act of corruption. Previously, all gifts were exempt from scrutiny, allowing for abuse.
- **Time bound completion of trial:** The bill provides for time bound completion of trial in corruption cases against public servants, with the ceiling set at **two years**, extendable up to a maximum of **four years**.
- **Attachment and forfeiture of property:** Powers and procedures for the attachment and forfeiture of property of public servants accused of corruption have been introduced in the Bill.
- **Punishment:** Punishment for those found guilty (bribe-takers as well bribe-givers) has been raised from a minimum jail term of 6 months in the original law to **3 years**, extendable up to **7 years** with a fine. Repeat offenders can be subjected to a minimum imprisonment of **5 years** extendable up to **10 years** with fine.

 <p>Bribery</p> <p>What is new</p> <ul style="list-style-type: none"> ▪ Giving a bribe is now an offence, punishable by a 7-year prison term ▪ Except when one is forced to give a bribe. But it should be reported within seven days ▪ Bribe is termed 'undue advantage', defined as 'gratification other than legal remuneration' <p>What it was</p> <ul style="list-style-type: none"> ▪ No specific provision, except as abetment 	 <p>Pre-investigation approval</p> <p>What is new</p> <ul style="list-style-type: none"> ▪ Police officer cannot begin probe without prior approval of relevant authority or govt (except when caught red-handed) <p>What it was</p> <ul style="list-style-type: none"> ▪ No such provision in the Act, but a rule similar to it was struck down by Supreme Court 	 <p>Sanction for prosecution</p> <p>What is new</p> <ul style="list-style-type: none"> ▪ Sanction needed for prosecuting former officials for offences done while in office ▪ Centre may notify guidelines for sanction ▪ Decision on request for sanction within 3 months, which may be extended by a month" <p>What it was</p> <ul style="list-style-type: none"> ▪ Sanction was required under PCA for serving officers only 	 <p>Criminal misconduct</p> <p>What is new</p> <ul style="list-style-type: none"> ▪ Only be two forms of criminal misconduct. ▪ Misappropriation of property entrusted to public servant ▪ Intentionally enriching oneself illicitly <p>What it was</p> <ul style="list-style-type: none"> ▪ There were five kinds: omitted ones are taking bribe habitually, getting anything free or at a concession, obtaining pecuniary advantage for oneself or for another without public interest 	 <p>Forfeiture of property</p> <p>What is new</p> <ul style="list-style-type: none"> ▪ Section introduced for Special Court under this Act to attach and confiscate property <p>What it was</p> <ul style="list-style-type: none"> ▪ This was not done under the Prevention of Corruption Act, but under a 1944 ordinance through civil courts <p>Compiled by K. Venkataraman</p>
<p>It could empower the public to refuse to give a bribe but seven-day limit may not be enough. As to what happens if citizen's report of coercion is not registered by the police is unclear</p>	<p>Protection formerly available to officials of rank of joint secretary and above (before SC struck it down) is extended to all public servants</p>	<p>Sanction for IPC offences covered both serving and retired officers. Guidelines and time-limit may help make sanction process easier</p>	<p>This is to protect public servants from being wrongly prosecuted for official decisions. Earlier it was a crime to "obtain advantage to a private party without public interest"</p>	<p>This helps avoid a fresh procedure to confiscate property obtained through corruption, enables court conducting trial to do so itself</p>

Need For Amendment/Positive Impact Of Amendment Bill

- **Pre-liberalization legislation:** The legislation that dates to the pre-liberalization era puts officials who have arrived at decisions honestly at risk of being charged with corruption.
- **Punishes only malafide decisions:** Earlier, even if a public servant receives no pecuniary benefit, he could still be penalized. The amendment is a game changer, as only *malafide* decisions would now be punished.
- **Wrong targeting for bonafide decisions:** The PoCA needs to be amended to protect public servants, as many bankers have complained that they are being wrongly targeted by investigation agencies for bonafide business decisions that failed. Expert says PoCA amendment is a landmark decision as a public servant can now takes bona fide decision without any fear.
- **Prevent harassment and hasten decision-making:** The **new Section 17A** brings in a much-needed layer of due diligence and will prevent undue harassment of honest officers and fasten decision-making.
- **Violation of cardinal principal of law may now stand corrected:** A cardinal principle of a justice system is that even if a thousand guilty go scot free, not one innocent should be punished

inadvertently. In the current round of arrests of and chargesheets on public sector bankers this cardinal principle stands violated. But after the passing of the amendment bill, this may change.

- **Enforcement agencies now have to focus on genuine cases:** Moreover, the amendment will not dilute the anti-corruption law. Instead, these amendments will enable law enforcement agencies to specially focus on really genuine cases of malfeasance by dishonest and deviant public servants under the amended PoCA.
- **Best practices around the world:** To learn from best practices considering the US case, where even in civil liability cases (where the burden of proof is weaker than in criminal cases) the **business judgment rule** governs court decisions. The business judgment rule refers to a common law presumption that directors and officers act in the best interests of the corporation they serve. Therefore, a court will not review the substantive wisdom underlying business decisions as otherwise decision makers would be frozen in inaction if they were to be subject to legal action for decisions which in hindsight were monetarily or otherwise unsuccessful.

Criticism

- **Compromise secrecy and cause delay:** The probe agencies feel that new provision may compromise secrecy of probes and all the time will be spent awaiting government nod, thus causing unnecessary delay in investigation.
- **New Section 17A far worse than erstwhile Section 6A:** Some experts feels that this is far worse a situation than the erstwhile ‘single directive’ 6A provision of the act, which made it mandatory for CBI to seek prior sanction from government before probes against officers of joint secretary level and above. The Supreme Court has declared that section void in 2015. Now, after the new Section 17A in the amended Act, CBI will need such permission for probes against all level of bureaucrats.

Table 2: Recommendations of the 2nd ARC not included in the Bill

Issue	4 th Report of the 2 nd ARC
Offences related to corruption	The following offences must be included in the Act: <ul style="list-style-type: none"> ▪ Gross perversion of the Constitution amounting to willful violation of oath of office; ▪ Abuse of authority by unduly favouring someone; ▪ Obstruction of justice; ▪ Squandering public money.
Bribery	The Act must provide for a special offence called ‘collusive bribery’, by the public servant and the beneficiary of the decision. The punishment should be double than that of other cases of bribery.*
Prior sanction for prosecution	▪ Prior sanction should not be necessary for prosecuting a public servant who has been caught red handed, or in cases of possession of disproportionate assets.
Private sector institutions/NGOs	▪ Private sector providers of public utility services should be included in the Act. ▪ NGOs who receive substantial funding from the government should also be covered.

Table 3: Provisions of the UN Convention that are not covered in the Bill

	UN Convention	The PCA Bill, 2013
Bribery of foreign public officials	Criminalises giving a bribe to a foreign public servant to obtain or retain business.	Not covered in this Bill. Proposed in The Prevention of Bribery of Foreign Public Officials and Officials of Public International Organizations Bill, 2011, which lapsed with the dissolution of the 15 th Lok Sabha.
Bribery in the private sector	Includes giving and taking a bribe by the private sector entity.	The Bill does not cover taking a bribe by private sector entities.
Compensation for damage	Those who have suffered damage as a result of an act of corruption have a right to obtain compensation against those responsible for that damage.	The Bill does not provide for compensation to those aggrieved of acts of corruption.

- **Amendment in contravention of SC decision:** In May, 2014, the top court declared **Section 6A** void on ground that it impedes tracking down corrupt senior bureaucrats as without previous approval of the central government, CBI cannot even hold preliminary inquiry much less an investigation into the allegations. Thus after the judgement, CBI had got full immunity to proceed with an inquiry against any government official and only approach the government for permission before filing a charge sheet.
- **Punishing bribe givers may be counter-productive:** The provision to punish the bribe giver with up to seven years in jail and/or fine may be counter productive as a distinction has to be made between a “bribe of collusion” and a “bribe of coercion”.

- **Deter bribe givers from appearing as witness in trail:** The Bill has deleted the provision that protects a bribe giver from prosecution, for any statement made by him during a corruption trial. This may deter bribe givers from appearing as witnesses in court.
- **Threshold for offence of disproportionate asset increased:** It now requires that the intention to acquire assets disproportionate to income also be proved, in addition to possession of such assets. Thus, the threshold to establish the offence of possession of disproportionate assets has been increased by the Bill.
- **Bill now does not cover various other forms of corruption:** By redefining the offence of criminal misconduct, the Bill does not cover circumstances where the public official: (i) uses illegal means, (ii) abuses his position or (iii) disregards public interest and obtains a valuable thing or reward for himself or another person.

Way forward

- But at the same time the cases of prior sanction by the competent authority necessary for initiating investigation/ inquiry or prosecution have to be dealt with in a timely and effective manner. There needs to be an institutional mechanism set up to so facilitate such sanctions. Such cases would need to be decided solely and squarely on merit and the facts and circumstances of each case.
- Further, the investigative agencies also at same time need to examine whether accusations of corruption against bankers are justified before filing charges as bonafide business decisions that go awry can always be questioned in hindsight.

Right to Information (Amendment) Bill, 2018

Syllabus: Important aspects of governance, transparency and accountability (RTI etc)

In News

The government’s move to introduce a new bill to amend the Right to Information (RTI) Act in the monsoon session of Parliament, has riled the Opposition parties and social rights activists. As no pre-legislative consultative process has been followed and the amendment bill was not put in the public domain.

Provisions Of The Proposed Amendment

- The bill says that unlike Election Commission and State Election Commission, which are constitutional bodies the RTI’s Commission is a statutory, the latter’s status and service conditions need to be rationalized accordingly.
- **Union govt to decide terms of services:** Amendment will allow Union government to prescribe the tenure, salaries, allowances and other terms of service of central and state information commissioners. (By amendment in Section 13, 15, 16 and 27 of the Act)
- **Salary as decided by government:** The salaries and allowances payable to and other terms and conditions of service of the Chief Information Commissioner and the Information Commissioners shall be such as may be prescribed by the central government.
- **Tenure as decided by government:** It also states that the ICs shall hold office for such terms as may be prescribed by the Central government, instead of five years.

What’s being changed

SECTION 13: TERM OF OFFICE AND CONDITIONS OF SERVICE

AS IT IS NOW

- (1) CIC shall hold office for 5 years
- (2) Info Commissioner (IC) shall hold office for 5 years
- (5) (a) CIC status shall be the same as that of CEC
- (b) IC’s status shall be the same as that of EC

AMENDMENTS

- (1) CIC shall hold office for such term as may be prescribed by Centre
- (2) IC shall hold office for such term as may be prescribed by Centre
- (5) Pay & perks and other service conditions of CIC, ICs shall be such as may be prescribed by Centre

NOT EASY TO PASS MUSTER IN THE RS

The government is likely to face hurdles in passing the bill in the Rajya Sabha as it does not have majority there. All opposition parties have criticised the move to dilute the RTI Act

Negative Implications

- **Undermine Autonomy And Make Commission Subservient:** The Union government prescribing terms of service will undermine Commission's autonomy and make them subservient to government. The current law gives Information Commissioners tenure of five years and salaries that match those of Election Commissioners.
- **Flawed Rationale Behind The Amendment:** The rationale provided for undertaking the amendment i.e. Election Commission being constitutional body can't be equated with the Information Commissions that are statutory bodies is flawed. As the principle of statutorily securing tenure and protecting the terms of service by equating it to functionaries of constitutional bodies is routinely adopted to ensure independent functioning of statutory oversight institutions like the Central Vigilance Commission and the Lokpal. The fixed tenure and high status conferred on Commissioners under the RTI Act is to empower them to carry out their functions autonomously, without fear or favour and direct even the highest offices to comply with the provisions of the law.
- **Reduce people of eminence with diversity:** With its downgrade, fewer people of eminence will apply. Reforms to ensure diversity among Information Commissioners and filling up posts as soon as they fall vacant will foster transparency and faster disposal of appeals.
- **Issue of Federalism:** The Centre usurping the power to decide the tenure and salaries of State Information Commissioners has also raised the key issues of federalism.
- **Lack of public engagement:** The secrecy around the amendments has prevented any meaningful debate or public engagement with the proposed changes.

Way forward

While the government professes a commitment to fighting corruption, downgrading RTI's status will cripple an existing deterrent to corruption. It will also provide supporting evidence for opposition claims that government is out to erode institutions.

Public Affairs Index 2018

Syllabus: Important aspects of governance, transparency and accountability

In News

- Bengaluru-based think-tank Public Affairs Centre (PAC) has released the Public Affairs Index 2018.
- Founded in 1994 by renowned Indian economist and scholar late Samuel Paul, the think tank works to mobilise a demand for better governance in the country.
- Released annually since 2016, the index examines *governance performance* in the states through a data-based framework, ranking them on social and economic development they are able to provide.
- The report is based on 10 themes, 30 focus subjects and 100 indicators, and relies solely upon government data.
- It covers wide range of themes such as support to human development, social protection, essential infrastructure, women and children, crime, law and order, delivery of justice, transparency and accountability, environment, fiscal management and economic freedom.
- The states were divided into two categories — large and small — on the basis of their population. States with more than two crore population were considered large.

Key Highlights

- Kerala has topped the index as the best-governed state for the third consecutive year since 2016 among large states. Tamil Nadu, Telangana, Karnataka and Gujarat followed Kerala among the top five states delivering good governance.
- Bihar ranked the lowest, indicating higher social and economic inequalities in the states, followed by Jharkhand and Madhya Pradesh.
- Among smaller states (with a population less than two crores), Himachal Pradesh topped the list, followed by Goa, Mizoram, Sikkim and Tripura which figured among the top five states with good governance.
- Nagaland, Manipur and Meghalaya were ranked at the bottom of the index among small states.

Social Justice

Debate on Section 377 Of IPC

Syllabus: Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections

In News

- Supreme court Constitutional bench is hearing petitions challenging the constitutionality of Section 377 of the Indian Penal Code.
- Section 377 refers to **unnatural offences** and says *whoever voluntarily has carnal inter course against the order of nature with any man, woman or animal shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to 10 years and shall also be liable to pay a fine.*

Few Recent Judicial Rulings So Far

- ✓ **2009:** In *Naz Foundation case*, **Delhi High Court** ruled that section 377 of Indian Penal Code in so far as it criminalises consensual sexual acts of adults in private is violative of Articles 21, 14, and 15 of the Constitution.
- ✓ **2013:** The Delhi HC judgement was overturned by the Supreme Court with the Court holding that amending or repealing section 377 should be a matter left to Parliament, not the judiciary. The SC’s reasoning, while re-criminalizing homosexuality and upholding Sec 377, was:
 - Intercourse between same sex is against the law of nature.
 - The harassment faced on account of misuse of this provision by police officials is not mandated by this section.
 - Section 377 only criminalizes certain acts, not the categories of person such as gay. It is thus non-discriminatory.
 - The SC also observed that the LGBT community was a “miniscule” minority that did not deserve the court’s time or protection.
- ✓ **2016:** On 6 February 2016, the final hearing of the curative petition submitted by the Naz Foundation and others came for hearing in the SC. The three-member bench headed by the then CJI T. S. Thakur said that all the 8 curative petitions submitted will be reviewed afresh by **a five-member constitutional bench**.
- ✓ **2017:** On 24 August 2017 in a landmark judgment (also known as the **Puttuswamy judgement**), the SC had upheld the Right to Privacy as a fundamental right under the Constitution. The SC

also had called for equality and condemned discrimination, stated that the protection of sexual orientation lies at the core of the fundamental rights and that the rights of the LGBT population are real and founded on constitutional doctrine. The Puttuswamy judgement is believed to have implications for section 377 as consensual sexual acts in private can no longer be overseen by law.

- ✓ **2018:** In January 2018, a three-member SC bench heard a petition filed by five people asking the SC to revisit the Naz Foundation judgment. The case was referred to a larger bench and help was sought from the Union government. On 10 July 2018, a five-member constitutional bench of the SC commenced hearing of the pleas challenging the constitutionality of section 377.

Arguments In Favour Of Section 377

- **Only invoked in covering lacuna under rape laws:** Section 377 been generally invoked in cases of allegation of child sexual abuse and for complementing lacunae in the rape laws and not mere homosexuality.
- **May open flood gates of delinquent behaviour:** Section 377 is necessary as the deletion thereof will open flood gates of delinquent behaviour and can possibly be misconstrued as providing unfettered licence for homosexuality.
- **Indian social values:** The Indian society is yet to demonstrate readiness or willingness to show greater tolerance to practices of homosexuality. Thus Indian society by and large disapproved of homosexuality and disapproval is strong enough to justify it being treated as a criminal offence even where the adults indulge in it in private setting.
- **Used very rarely:** The section 377 has been used less than 200 times in more than 150 years of its existence.
- **Other arguments:** Section 377 IPC serves the purpose considering the arguments of public morality, public health and healthy environment.

The global experience How the world viewed homosexuality

<ul style="list-style-type: none"> ■ Section 377 was based primarily on blind prejudice and without any scientific basis ■ The criminal code of Napoleon was silent on sexual relations between consenting adults ■ In the U.S., the efforts of Senator Joseph McCarthy led to widespread persecution of gays at every level of government activity 		<ul style="list-style-type: none"> ■ After 1970, the view that homosexuality was pathological and dangerous was gradually discarded ■ By 1973, homosexuality was removed from the list of mental disorders. In the 1990s, executive orders were issued banning discrimination in federal and state-level government offices. This was followed by leading private corporations ■ Private corporations and defence corporations in the U.S. were required to ferret out and discharge homosexual employees by an executive order of President Eisenhower
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Arguments Against Section 377

- **Constitutional Provisions:** It violates Articles 14 (equality before law), 15 (discrimination based on gender), 19 (freedom of expression of sexuality) and 21 (personal liberty and dignified life).
- **Liberty Of The Citizens:** The State should not be concerned about the private acts of an individual as long as they do not harm the interests of the society.
- **Right of sexual orientation meaningless:** The right to sexual orientation is meaningless without the right to choose a partner. In March 2018 judgment in the Hadiya case, SC held that neither the state nor one's parents could influence an adult's choice of partner.
- **Misuse Of Law:** In the name of this law, members of LGBT (lesbian, gay, bisexual and transgenders) are harassed and ostracized in the society, where every minority has got new voice in the new world order with the help of civil societies.

- **Colonial Legacy:** It is a colonial legacy that was enacted by the then British Parliament in 1860 and thrust upon the Indian people without any debate and discussion. It should have been shunned when India got independence. Now, it has even been decriminalized by UK.
- **Scientific Evidence:** It has been proven by the psychologists that it is not a mental disorder; rather the genetic factors are more decisive in the sexual orientation of a person than the environmental factors.
- **Historical And Literary Evidences:** Kritivasha Ramayana (1st century), Khajuraho temples, Shikhandi in Mahabharata, worship of Shiva as Ardhanarishwara show that homosexuality has been a part of Indian culture since ages and this is a well-known fact now.
- **Globalised Society:** People want Indian society to be progressive. Nepal decriminalized it in 2007, which was followed by other progressive nations such as USA and Euro
- **Section 377 hampers the HIV/AIDS prevention efforts:** NAACO estimated that there were about 25 lakh Men who have sex with men (MSM) and that more than 8% of the population of MSM is infected by HIV while the HIV prevalence among the general population is estimated to be less than 1 %. And these in the High Risk Group are mostly reluctant to reveal same sex behaviour due to the fear of law enforcement agencies keeping a large section invisible and unreachable and thereby pushing the cases of infection underground making it very difficult for the public health workers to even access them.

Conclusion

India is a vibrant democracy where everyone has the right to live a dignified life. Majority shouldn't decide for a minority whether they have the right to live the life of their choice or not. Therefore, the draconian Sec 377 must be reviewed and struck down in light of modern constitutional values and socio-cultural ethos.

The **172nd Law Commission Report** had recommended deletion of Section 377. The Union Ministry of Home Affairs (MHA) had in 2013 proposed deletion of Section 377 of IPC and instead replace it with **Section 376F**, which deals with unlawful sexual contact and sodomy of children.

Bru Community

Syllabus: Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections

In News

Less than a fortnight after Union Home Minister announced the signing of an agreement that would repatriate displaced Bru families living in Tripura since 1997 to Mizoram before September 30, the **Mizoram Bru Displaced People's Forum (MBDPF) withdrew from the deal**, saying the terms agreed upon between the governments of Mizoram, Tripura and Ministry of Home Affairs (MHA) were not acceptable to the Bru community.

Background

- The Bru community, once spread across Mamit and Kolasib districts of Mizoram, were **forced to flee their native land in 1997** after animosity between the Bru and the Mizos turned violent.
- Conflict between the communities began in 1995 when organisations representing Mizos, the majority community in the state, demanded that Brus be stripped of their voting rights as they were not indigenous to Mizoram.

VAJIRAM & RAVI

- This led to rise of militant outfits among the Brus who in 1997 shot dead a Mizo forest guard. The violent backlash from Mizos to this incident forced Brus to flee to Tripura where they have been living in refugee camps in pitiable condition for close to two decades.
- The displaced Brus took refuge in a town called Kanchanpur in northern Tripura, on the Mizoram-Tripura border. Now, they are **spread across seven refugee camps** on the Jamui hills, which separate Tripura from Mizoram and Bangladesh
- As many as 32,876 displaced people from 5,407 families belonging to the Bru community (also called as **Reangs**) are currently living in temporary camps in Tripura.
- According to reports, each adult in the camp in 2014 was eligible for an allowance of Rs 5 per day and 600 grams of rice. Minors get Rs 2.5 and 250 grams of rice.
- Residents of these camps are **not entitled to employment opportunities** under any government scheme.

Terms of Agreement

- The decision of repatriation was taken after a **tripartite agreement** was signed by the two state governments and the Centre.
- The Central government has agreed to provide financial assistance for rehabilitation of Bru community members in Mizoram and address their issues of security, education, livelihood among others in consultation with the governments of Mizoram and Tripura.
- According to a statement by the Tripura government, each displaced family would get a **financial assistance of Rs 4 lakh in the form of a fixed deposit**. The family would get rights to the deposit after three years of continuous living in Mizoram.
- A **cash assistance of Rs 5,000 per month** would also be given to each family for two years through Direct Benefit Transfer.
- Apart from this, each family would also get **Rs 1.5 lakh as house building assistance**, and **free ration for two years**.
- They would also be given **voting rights**. Mizoram goes to polls this year and the Election Commission has asked the State to revise its rolls and include the members of the internally-displaced community
- The entire process would cost **Rs 435 crore** to the Centre over a period of two years,

Stalemate

- The Bru Forum insists that Brus who return are not safe in Mizo dominated villages, and that they should be provided with **cluster villages**, a demand that the Mizoram government has termed as unreasonable. The Mizoram government will have to provide land in the two districts to have cluster villages and it has already expressed its inability to do so.
- The **most contentious demand**, however, is “the facilitation of the **creation of an autonomous district**”, something that the Mizoram government has termed unreasonable.
- The Brus want the Mizoram government to provide **at least one government job per family** and cash assistance of Rs 1.5 lakhs for each repatriated family.
- The Brus also want the amount of Rs four lakh promised in the agreement to be given at one go in their savings accounts before they move to Mizoram

- Additionally, the Brus have alleged in their application to the Supreme Court that around **1,000 families living in camps in Tripura have not been identified** by the Mizoram government as eligible to return to Mizoram.

The state government has accused leaders of the forum of deliberately sabotaging the repatriation process by **repeatedly changing their demands**. It said that the forum suffered from the **problem of having too many leaders**, leading to lack of unity among them.

Conclusion

The Government has said that it will go ahead with the repatriation process. However, it is certain that without the cooperation of Bru community there is precious little that will be achieved at the end of this exercise. It is important that the talks continue with an aim to end the ensuing stalemate and begin the process of reconstructing thousands of innocent lives currently having to face poverty, destitution and discrimination.

Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes-2018

Syllabus: Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections

In News

- The Supreme Court has stated that the scheme proposed by the **National Legal Services Authority (NALSA)** for compensating victims of sexual assault and acid attack should be modified to "some extent" to **make it applicable to child victims** of such assaults.
- The Supreme Court has also mandated that no Victim shall be paid less than what is stipulated in the scheme, but with the liberty that the States can enhance compensation beyond what this Scheme provides.
- The scheme drafted by the National Legal Services Authority is a milestone in the development of Victimology as well as **Victim Compensation Jurisprudence**, especially for women in India.

Why Do We Need This Scheme?

- Even though the world has already opened up to the sociological aspects of crime and is treating Victimology as a separate field, the criminal justice system of our country is yet to open up fully to rights of victims of crime.
- The civil rights movement and the feminist movement has started drawing attention of the criminal justice system towards the plight of the victims of the crimes, including the need of victim compensation and **victim assistance programme**.
- In November 1985, UN General Assembly, adopted the **Declaration of Basic Principle of Justice for Victims of Crimes and Abuse of Power**. This highlighted Four Rights to the Victims i.e., **Access to Justice and fair treatment, Restitution, Compensation, and Assistance**.
- However, India just has a basic stipulation in the form of **Section 357 CrPC** and **Section 5 of Probation and Offender Act**, which could be acted only upon the conclusion of the trial and that too when the case ends in a conviction. They provided for payment of compensation to the victims only by the convict.
- In its **41st report, Law Commission of India** highlighted the fact that trial courts are not utilising the statutory power under Section 357 CrPC to compensate the victims of crimes.

- Statistics filed by the States and Union Territories before the Supreme Court suggest that dismal number of women victims get compensation when compared with the number of FIRs filed for the crimes.
- Hence, in cases such as rape not even ten percent of the women victims are being compensated despite the availability of huge amount of funds lying unutilised with the State and Central Government for this purpose.
- Further, there was a huge disparity in the process adopted and the quantum of compensation provided for. So much so that Victim Compensation Scheme of Goa provided for Rs 10 lakhs compensation to Rape Victims but Jharkhand provided for maximum of just Rs 20,000 compensation.
- Anguished by this huge disparity in the quantum of compensation, the Supreme Court directed NALSA to set up a Committee so as to prepare Model Scheme for Compensation of Women Victims of sexual offences and acid attack.

Provisions Of The Scheme

- As per NALSA's scheme, victim of **gangrape** in any part of the country would now get a minimum compensation of Rs 5 lakh and up to a maximum of Rs 10 lakh.
- Similarly, in case of **rape and unnatural sexual assault**, the victim would get a minimum of Rs 4 lakh and maximum of Rs 7 lakh as compensation.
- Victim of **acid attacks**, in case of disfigurement of face, would get a minimum compensation of Rs 7 lakh, while the upper limit would be Rs 8 lakh. In acid attack cases, if the injury is more than 50 per cent, a minimum compensation of Rs 5 lakh would be given.
- Victims of **burning cases** would get a minimum compensation of Rs 7 lakh and maximum of Rs 8 lakh in case of disfigurement.
- It provides for the creation of a **dedicated Women Victim Compensation Fund** within the already existing State Victim Compensation Fund. The money in this Women VC Fund shall flow from Central Victim Compensation Fund Scheme, 2015 of Gol, out of Nirbhaya Fund, as well as from the State Victim Compensation Grants.
- The uniqueness of this Scheme is that it has brought a national uniformity in the process and the quantum of compensation payable to the women victims.
- Another unique feature of the scheme is that for the first time mandatory reporting of cases is stipulated. Now police is obliged to report all cases covered in the Scheme with concerned SLSA/DLSA by sharing soft/hard copy of FIR as and when lodged.

Conclusion

The scheme will prove a milestone in victim friendly jurisprudence in the country so as to come to the aid of victims of crime and help them come out of their trauma and aid in their rehabilitation.

Leprosy Awareness

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

A Supreme Court bench headed by Chief Justice Dipak Misra recommended the Centre and the States to take steps to increase awareness around leprosy in order to reduce the stigma around it.

About Leprosy

- Leprosy, also known as **Hansen's disease**, is a chronic infectious disease caused by the rod-shaped bacterium **Mycobacterium leprae**.
- The disease mainly affects the skin, the peripheral nerves, mucosa of the upper respiratory tract and also the eyes, apart from some other structures.
- It is difficult to transmit and has a long incubation period (time before symptoms appear). Casual and short-term contact does not spread the disease. It is transmitted via droplets, from the nose and mouth, during close and frequent contacts with untreated cases.
- Leprosy is curable with a treatment known as **multidrug therapy** and upon the administration of the first injection, it ceases to be contagious.

SC Directives

- The Supreme Court directed the government to constitute **a separate wing** devoted to create and extend public awareness that leprosy is curable and not contagious.
- The bench ordered **All India Radio and Doordarshan to air specific programmes** nationally as well as regionally in the States at prime time for educating people about the disease.
- The CJI reminded the government that it was primary duty of the state to **erase the stigma** against those suffering from leprosy & nudge them back into the mainstream.
- The court referred to the **256th Report of the Law Commission** on '**Eliminating Discrimination Against Persons Affected by Leprosy**' and said the recommendation on repealing discriminatory legal provisions has not been acted upon by the Centre and states. Such outdated provisions denied them access to public services, impose disqualifications on them under personal laws and prohibited them from occupying or standing for public posts or office.
- India is a member of the UN General Assembly that unanimously passed the **Resolution on the Elimination of Discrimination against Persons affected by Leprosy and their Family Members, 2010**. The **Lepers Act** goes against the spirit of this resolution and therefore requires immediate repeal.
- The **Hindu Marriage Act, 1955** allows dissolution of marriage if one of the partners has been "suffering from a virulent and incurable form of leprosy."
- Section 70(3)(b) of the **Orissa Municipal Corporation Act, 2003** disqualifies a person affected by leprosy from contesting elections for the post of corporator of the Municipal Corporation on account of his or her affliction by leprosy.
- Section 19(f) of the **Rajasthan Panchayati Raj Act, 1994**, disqualifies a leprosy victim from contesting elections for the post of a Panch or any other member of the Panchayati Raj Institution.
- The PIL filed by Vidhi Centre for Legal Policy (VCLP) prays for statutes which attach a stigma with leprosy, to be declared as being **violative of Articles 14, 19(1)(b) and 21 a**
- The court stated that the hospitals shall not refuse treatment and has to administer the first injection under the Multi-Drug Therapy. It has to be remembered that a person has a right to health and to obtain treatment at government hospitals.

India's Status

- Leprosy is curable and treatment provided in the early stages averts disability. Multidrug therapy, made available by WHO free of charge to all patients worldwide since 1995, provides a simple yet highly effective cure for all types of leprosy.

- In India, the **National Leprosy Eradication Programme (NLEP)** is the centrally sponsored health scheme of the Ministry of Health and Family Welfare. While the NLEP strategies and plans are formulated centrally, the programme is implemented by States and Union Territories (UTs). The programme is also supported by WHO, ILEP, and few other NGOs.
- Due to these efforts, from a prevalence rate of 57.8/10,000 in 1983, India has succeeded with the implementation of MDT in bringing the national prevalence down to “**elimination as a public health problem**” of less than 1/10,000 in December 2005 and even further down to 0.66/10,000 in 2016.
- Despite the above success, the fact remains that **India continues to account for 60% of new cases reported globally each year** and is **among the 22 global priority countries** that contribute 95% of world numbers of leprosy warranting a sustained effort to bring the numbers down.
- According to a sample survey conducted by Indian Council for Medical Research (ICMR), there are many hidden cases in the community. The major cause of hidden cases is **low voluntary reporting** in the community due to a lack of awareness as well as the continuing **fear, stigma, and discrimination against leprosy**.
- The **SPARSH Leprosy Awareness Campaign (SLAC)** was launched in January 2017 and is a program intended to promote awareness and address the issues of stigma and discrimination. The anticipation of the present strategy is that, with increasing awareness and reducing stigma, more hidden cases will self-report for diagnosis and treatment.
- For ease of reporting and data management of registered leprosy cases, NLEP has launched **Nikushth, a web-based reporting system** in India. Nikushth will be helpful in keeping track of all the activities being implemented under the NLEP. NLEP is also planning to develop online training software for leprosy workers.

Conclusion

It is inconceivable that people suffering from leprosy are deprived of the basic care and respect that they deserve. The stigma that they face is reprehensible as it **affects human dignity and the basic concept of humanity**. The SC directives will help in curtailing this discrimination by developing a comprehensive protection regime and in the process enable the state to **discharge its positive obligations through affirmative action**.

National Health Stack

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- **NITI Aayog** has proposed the creation of **National Health Stack (NHS)**, a centralized health record for all citizens of the country, in order to streamline the health information and facilitate effective management of the same.
- The NHS is proposed to be the country's first futuristic nationally shared digital healthcare infrastructure, with a view to implement the Centre's flagship scheme *Ayushman Bharat* and other public healthcare programmes in the country.
- *National Health Policy 2017* had also envisaged creation of a digital health technology ecosystem aimed at developing an integrated health information system that serves the needs of all the stakeholders.

- India today is witnessing significant trends in health: increasing prevalence of non-communicable diseases for instance, as well as marked demographic shifts. Further, climbing out-of-pocket costs is becoming difficult for most households
- The proposed NHS is an approach to address the challenge and seeks to employ latest technology including Big Data Analytics and Machine Learning Artificial Intelligence, a state of the art Policy Mark-up Language and create a unified health identity of citizens - as they navigate across different levels of care, i.e. Primary, Secondary and Tertiary and also across Public and Private.
- It will be able to host digital health records for all citizens by 2022.

Features of NHS

- The key components of the National Health Stack are—
 - **National health electronic registries** to create a single source of truth and manage master health data of the nation.
 - **Federated personal health records framework** to solve twin challenges of access to their own health data by patients and availability of health data for medical research, critical for advancing our understanding of human health.
 - **Coverage and claims platform** to support large health protection schemes, enable horizontal and vertical expansion of Rashtriya Swasthya Suraksha Mission (RSSM) by states and robust fraud detection.
 - **National health analytics platform** to bring a holistic view combining information on multiple health initiatives and feed into smart policy making, for instance, through improved predictive analytics.
 - **Other horizontal components** including unique Digital Health ID, Health Data Dictionaries and Supply Chain Management for Drugs, payment gateways etc shared across all health programs.
- The scope of the National Health Stack includes the following subjects: Induction of private hospitals and private practitioners into the primary and secondary healthcare ecosystem, focus on non-communicable diseases, disease surveillance, health schemes management systems, nutrition management, school health schemes, emergency management, e-Learning platform for health, tele-health, tele-radiology, diagnostic equipment, health call centre etc.

Benefits Of NHS

- The NHS will shift the focus from illness to wellness and significantly bring down the costs of health protection, converge disparate systems to ensure a cashless and seamlessly integrated experience for the poorest beneficiaries, and promote wellness across the population.
- The design is geared to generate vast amounts of data resulting in some of the largest health databases with secured aggregated data that will put India at the **forefront of medical research** in the world.
- As NHS matures with data over time, it will be well equipped to deliver solutions (in phases) to the four big challenges of healthcare faced by the people of India— **availability, accessibility, affordability and acceptability**.
- Facilitate **continuum of care** as the Stack supports information flow across primary, secondary and tertiary healthcare.
- India has a federal set up and health is a state subject. NHS will allow the government to build in the feature of **portability** for migrants, thus allowing it to fulfil its promise of healthcare and health

protection anywhere in the country. Further the portability will not only aid the beneficiaries but also the practitioners.

- NHS proposes to allow states to incorporate horizontal and vertical expansion of scheme, avoid duplication of efforts and enable ease of adoption for those without systems or with dysfunctional systems in place. The states can continue using their own state systems while integrating with Rashtriya Swasthya Suraksha Mission (RSSM) via Application Programming Interface (APIs), making migration simple in case of states with more advanced systems.
- Improved policy making through access to timely reporting on utilization and measurement of impact across health initiatives and enhanced trust and accountability through non-repudiable transaction audit trails.
- It will aid timely payments on scientific package rates to service providers which is a strong lever to participate in government-funded healthcare programs.
- Improved health security not only has the potential to transform individual well-being, it would also allow our nation to fully leverage our strongest asset: human capital.

Conclusion

Given its federal structure and limited resources, India demands agility, flexibility and evidence based smart policy making for implementation of healthcare initiatives, driving all stakeholders towards **health-seeking behaviors** with renewed energy. The adoption of the National Health Stack will provide a stimulus not only to act in conformity with a **globally progressive commitment to health equity**, but also enable India to be at the forefront of the movement by creating one of the best contemporary **technology informed models for universal health coverage**.

DTAB Sub-Committee Recommends Banning 343 Fixed Drug Combinations

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- An expert panel was formed by Drugs Technical Advisory Board (DTAB) on drugs to review the "safety, efficacy and therapeutic justification" of 349 fixed dose combination (FDC) medicines.
- It recommended that 343 FDCs be banned and six others are either restricted or regulated for specific indications or quantities.
- DTAB is highest statutory decision-making body on technical matters related to drugs in the country. It is constituted as per the Drugs and Cosmetics Act, 1940. It is part of Central Drugs Standard Control Organization (CDSCO) in the Ministry of Health and Family Welfare.

Background

- Total 344 FDCs were banned on March 10, 2016, by the central government on the suggestion of the panel formed under the chairmanship of C K Kokate. Some that were banned were: Cefixime + Azithromycin, Ofloxacin + Ornidazole Suspension, and Metronidazole + Norfloxacin.
- Kokate committee, which studied the irrationality of various FDCs, recommended the ban on 344 of them, citing the rising "antibiotic resistance" in the country as one of the reasons.
- On December 1, 2016, Delhi High Court struck down the ban stating that the government had acted in a "haphazard manner".

- In December 2017, the Supreme Court had directed the health ministry's expert body DTAB, for a fresh review of safety, efficacy and therapeutic justification of these 349 FDCs. Therefore, the DTAB formed a sub-committee, which studied the issue and submitted its recommendations.

Fixed-dose Drug Combinations (FDCs)

- Combination products, also known as fixed dose drug combinations (FDCs), are combinations of two or more active drugs in a single dosage form.
- The Food and Drug Administration, USA defines a combination product as 'a product composed of any combination of a drug and a device or a biological product and a device or a drug and a biological product or a drug, device, and a biological product.'
- **The rationality of FDCs should be based on certain aspects such as**
 - The drugs in the combination should act by different mechanisms.
 - The pharmacokinetics must not be widely different.
 - The combination should not have supra-additive toxicity of the ingredients.
- **Most FDCs have the following demerits:**
 - Dosage alteration of one drug is not possible without alteration of the other drug.
 - Differing pharmacokinetics of constituent drugs pose the problem of frequency of administration of the formulation.
 - By simple logic there are increased chances of adverse drug effects and drug interactions compared with both drugs given individually.

New Ebola Virus Strain Discovered In West Africa

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- Epidemiological researchers in West Africa have discovered a new strain of the Ebola virus among bats in Sierra Leone **Known as the Bombali virus**, the new strain was found during a study by joint teams from the United States and the West African countries of Sierra Leone, Guinea and Liberia.
- According to the study, the Bombali virus is distinct from other Ebola strains. It is not yet known whether it can cause disease outbreaks, although results show that it has the potential to infect human cells.
- It has been named as Bombali virus strain, after district where it was found. **The Bombali virus is overall sixth known virus strain Ebola virus. Other is Zaire, Sudan, Tai Forest, Bundibugyo and Reston.**

Background

- The finding of new strain of virus comes two years after end of worst-ever Ebola outbreak that killed more than 11,000 people in Guinea, Liberia and Sierra Leone.
- The three West African neighbouring countries were hard hit by Ebola outbreak which began in Guinea in December 2013 before spreading to Liberia and Sierra Leone.
- The epidemic was declared over by World Health Organisation (WHO) in 2016 after claiming over 11,300 lives out of nearly 30,000 registered cases. The 2014-2016 Ebola outbreak in West Africa

was caused by Zaire virus, which was discovered in Democratic Republic of Congo formerly Zaire in 1976.

Eat Right Movement

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- Food Safety and Standards Authority of India (FSSAI) unveiled '**The Eat Right Movement**', built on two broad pillars of '**Eat Healthy**' and '**Eat Safe**'.
- Changing lifestyle, travel, experiences, and essentially exposure to a variety of cuisines are significantly impacting changing consumer food choices and attitude towards food.
- The programme aims to engage and enable citizens to improve their health and well-being by making the right food choices.

Rising Disease Burden

- A study published in the **Indian Journal of Community Medicine** in 2015 shows that 80 percent of NCD deaths happen from heart disease, cancer, respiratory problems or diabetes.
- It also showed that the per capita consumption of sugar in India was 22 grams per day in 2000, which increased to 55.3 grams in 2010. Similarly, the per capita consumption of salt has increased to 12 grams per day. For fat, it was 21.2 grams per day in 2000, which increased to 54 grams per day in 2010.
- India is becoming the **diabetes capital of the world**, cases of anaemia and micronutrient deficiencies are on the rise, and non-communicable diseases (NCDs) account for 1 in 5 disease-related deaths.
- These numbers forced the food safety regulator to not just accelerate its ongoing draft regulation on labelling packaged foods with high fat, sugar and salt (HFSS) content with red dots, but put their best minds together to draw up a larger plan.

Road to Healthy India

- The Eat Right Movement is a collaborative move with **stakeholders on both the demand and supply side coming together**. On the demand side, the campaign focuses on empowering citizens to make right food choices. On the supply side, it nudges food businesses to reformulate their products, provide better nutritional information to consumers and make investments in healthy food as responsible food businesses.
- Stating that its aim was to **cut down salt/sugar and oil consumption by 30% in 3 years**, FSSAI will issue guidelines for labeling of packaged foods in next one year. Meanwhile, FSSAI has appealed to packaged food companies to voluntarily cut the quantity of sugar, salt and fat in their products. 15 packaged food companies, including Patanjali, Nestle and ITC, have come forward to support this campaign as of now.
- With the WHO calling for a complete removal of trans fat from the food supply by 2023, the edible oil industry, bakeries and halwais in India, including Halwai Association and Hotel and Restaurant Association of Northern India, too, have pledged to do their bit, committing to phase it out by 2022 with the pledge '**India@75 – freedom from trans fat by 2022.**'

- Apart from this, a tool kit also has been introduced to address the issue at grassroots level. Both theory and activity-based manuals have been developed **to train the ASHA and Anganwadi workers** in the villages.
- FSSAI has also launched a microsite on the movement which will help consumers to access tips and information on eating right along with the launch of artificial intelligence powered chat bot '**Food Funda**' which will address food-related consumer queries.
- Backed by the Ministry of Health and Family Welfare, FSSAI is hoping to work closely with other ministries such as **Information and Broadcasting** and **Food Processing Industries** among others to create a buzz around the campaign and weave in other government initiatives into the larger movement.
- While the body is banking on publicity through mass media, running ads and **Rajkummar Rao's** (the pro-bono brand ambassador) two-minute video in movie halls and public events where he recites the campaign's tagline – '**Aaj se thoda kam**', it is set to tie up with the Ayushman Bharat project and hand out toolkits to health workers at the 1.5 lakh health and wellness centers across the country to reach the rural populace.

Conclusion

The movement attempts to bring about **social transformation** by bringing in **behavioral change** and empowering consumers in the process. It will take years for changes in health indicators and lifestyle indicators to reflect, so the success or failure of the campaign will not be known for years to come. But it is a start and well begun, as it is said, is half done.

Mahatma Gandhi International Sanitation Convention (MGISC)

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- It is a **four-day international conference** that would bring together Sanitation Ministers and other leaders in **WASH** (the collective term for Water, Sanitation, and Hygiene) from around the world. The function will be held in Delhi from September 29 to October 2.
- It is being organized by the Government of India's **Swachh Bharat Mission (SBM)** or Clean India Mission, the world's largest sanitation programme.
- The Convention aims to share sanitation success stories and lessons from the participating countries and will culminate with the launch of the Mahatma's 150th birth year celebrations in India, as SBM enters its final year of implementation. The Convention will include a **field visit, plenary sessions, and technical sessions**.
- India aims to eliminate open defecation by the 2nd of October 2019, the 150th birth anniversary of Mahatma Gandhi. The rural sanitation coverage has significantly improved from 39% in October 2014, at the start of Swachh Bharat Mission, to 85%.
- The success of the Clean India Mission will undoubtedly have a significant impact on the global achievement of **SDG 6.2** *i.e., achieving access to adequate and equitable sanitation and hygiene for all, and end open defecation, paying special attention to the needs of women and girls and those in vulnerable situations by the year 2030.*
- In a bid to eliminate the need for manual scavenging, the **Ministry of Housing and Urban Affairs has launched a challenge** calling cities, companies, research institutes, innovators, and

NGOs to propose technology and business solutions to **clean urban sewers and septic tanks without human entry**. The challenge will be part of the Mahatma Gandhi International Sanitation Convention.

Manual Scavenging

Introduction

- The Ministry of Social Justice and Empowerment defines a scavenger as the one who is **partially or wholly engaged in the obnoxious and inhuman occupation of manually removing night soil and filth**.
- To explain in simple terms, manual scavenging refers to the removal of human waste/excreta (night soil) from unsanitary, dry toilets (toilets without the modern flush system). Manual scavenging involves the removal of human excreta using bare hands, brooms and tin plates.
- The **percent of women engaged in Manual Scavenging is more than men**, around 95% engaged in Manual Scavenging are said to be women. They face social, economic & political discrimination.
- Manual scavengers are usually from caste groups customarily relegated to the bottom of the caste hierarchy and confined to livelihood tasks viewed as deplorable or deemed too menial by higher caste groups. This leads to the propagation of the idea of **untouchability** which is **prohibited under Article 17 of the Constitution of India**.

Extent Of The Problem

- The **presence of dry latrines** is one of the primary reasons why manual scavenging exists till date despite being banned under the constitution via various legislations.
- As per the 2011 census data, latrines from which night soil is manually removed exist in all states except for the states of Goa, Sikkim and the UTs of Chandigarh and Lakshadweep. There are a total of 7,94,390 dry latrines in the country with Uttar Pradesh having as high as 3,26,082 and Andaman islands as low as 11. Uttar Pradesh, Jammu Kashmir & West Bengal together account for 80% of all the dry latrines in the country.
- As per the latest data available with the Government, there are a total of 11,635 manual scavengers across the country. Leading the pack is Uttar Pradesh with 10016 manual scavengers. There are 11 states where there are manual scavengers even today.

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act 2013

- The act intends to eliminate insanitary latrines completely and prohibit employment as manual scavengers and hazardous manual cleaning of sewers and septic tanks.
- Every offence under this Act shall be **cognizable and non-bailable**.
- The act has the following provisions for the rehabilitation of the identified manual scavengers:
 - An initial one-time cash assistance.
 - Scholarship to the children of manual scavenger.
 - Allotment of residential plot and financial assistance for house construction of a ready built house.
 - Training in a livelihood skill with payment of stipend of at least Rs 3000 per month.
 - Provision for subsidy, along with concessional loans, to at least one adult member of the family.

In addition to this act, **Central Sector Self Employment Scheme for Rehabilitation of Manual**

Scavengers is being implemented for rehabilitation of manual scavengers through the **National Safai Karamcharis Finance and Development Corporation**.

Criticisms Of The Act

- It has been observed that even after the enactment of new act of 2013, manual scavenging still prevails as state government, union territories failed to implement the said act. The only difference on the ground is that the government now gives compensation when a manual scavenger dies, but there is still little action to prevent such deaths in the first place.
- Moreover, it has been observed that **the government is unable to spend the meager amounts allocated for the rehabilitation** of Manual Scavengers.
- Neither contractors nor municipalities are providing the equipment and logistical and medical support mandated by the law. Even as we consider technology solutions, there is a need to fulfil the provisions of the law already there. Otherwise, all the innovation will not result in change on the ground.
- Further, activists working with manual scavengers expressed their scepticism about the proposal. The machines to clean sewers and septic tanks are already available globally, but they need to be adapted to Indian conditions and the government needs to show the political will to actually use the technology on the ground on a large scale.

Conclusion

Sadly, the Manual Scavengers are left scrapping the bottom of the barrel in our society which not only relegates them to a **life of discrimination, neglect and penury**. It is the duty of the state to protect the rights of every individual including that of the manual scavengers to improve their standard of living and facilitate a life of dignity which the constitution accords on everyone.

Swachh Survekshan Grameen 2018

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- The Ministry of Drinking Water and Sanitation has launched the **Swachh Survekshan Grameen 2018** (SSG 2018).
- A sample survey covering 75 districts was undertaken in 2016. However, this will be the first such comprehensive all-India evaluation.
- An independent survey agency will conduct the survey in all districts from 1st to 31st August 2018, and the results will be announced in the form of a ranking of all districts and states on the basis of **quantitative and qualitative sanitation (Swachhata) parameters**.
- As part of Swachh Survekshan Grameen 6,980 villages in 698 districts across India will be covered. Total 34,000 public places namely schools, anganwadis, public health centres, haat/bazaars/religious places in these villages will be visited for survey.
- **Citizen feedback** will be collected from over 50 lakh citizens on Swachh Bharat Mission related issues through **direct interaction as well as online feedback**.
- During the process, 65% weightage has been assigned to the findings and outcome from the survey and 35% to the service level parameters to be obtained from the Integrated Management Information System of the Ministry of Drinking Water and Sanitation. The weights to different elements of the SSG would be as below:

- Direct Observation of sanitation in public places: 30%
- Citizen's Feedback on sanitation parameters: 35%
- Service Level Progress on sanitation progress in the country as per SBMG- MIS: 35%
- The publicity of the event is also backed by a launch of a visual publicity campaign, featuring **Swachh Bharat ambassadors Amitabh Bachchan and Sachin Tendulkar**.
- When the Swachh Bharat Mission was launched in October 2014, an estimated 550 million Indians practised open defecation, making the country's sanitation indicators the worst in the world. In the years since then, the government has claimed significant reductions in that number and official estimates peg the number of people who still do not have access to toilets at around 200 million. According to official figures, the number of new toilets constructed since 2014 is around 77 million and the government's target is to end open defecation by October 2019.

Benefits Of Such Survey

- **Awareness:** In the process, the countrywide communication campaign, will also be used as an opportunity to engage the rural community on the benefits of public cleanliness, thereby **taking the campaign beyond household toilets**.
- **Competition:** Moreover, it would **promote a culture of cleanliness** by inducing an element of competition among states.
- **Health:** Unhygienic condition is one of the major root cause of diseases. Any disease or illness has financial impact both in terms of expenditure and potential revenue earning. Hence it will have a positive impact on India's health care sector.
- **Tourism:** The biggest limitation for India to promote tourism is cleanliness. Besides employment, tourism will also help bring forex to India which will boost India's GDP.
- **Clean Technology:** Gradually focus on cleanliness and hygiene will shift focus towards use of clean technology i.e. non-polluting in nature. It will involve use of *bio-degradable fuel and products*. Further, any shift towards clean technology will have positive ripple effect on entire economy. Focus on new technology will lead to new skill development for innovation thus help in generating new employment/entrepreneurial opportunities for India's youth.
- **Individual Productivity:** Healthy Body results in Healthy mind which is directly proportional to productivity of an individual. It will lead to the formation of Healthy India which in turn will increase productivity of Indians.
- **Clean Environment:** Cleanliness also means beautification of surroundings through trees and plants which actually are oxygen and clean air generators. Thus cleanliness will also ensure health conducive environment.

Conclusion

Cleanliness is not just one man's or organization's responsibility. The entire nation will have to work for it. The government along with people's cooperation must make maintaining national cleanliness the top most priority only then we can reap the benefits of being a clean country.

Right of Children to Free and Compulsory Education (2nd Amendment) Bill, 2017

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- Lok Sabha recently passed a Bill to amend the Right to Education (RTE) Act to **abolish the no-detention policy** in schools.
- The original RTE Act stipulated that no child admitted in a school shall be held back in any class or expelled from school till the completion of elementary education.
- The Bill, provides for **regular examination in classes V and VIII**, and if a child fails, there is a provision to give her or him additional opportunity to take a re-examination within two months
- As per the amendment, it would be **left to states to decide whether to continue the no-detention policy**.
- Majority of state governments have supported this proposal as it is believed that it would bring accountability in the elementary education system.
- This Bill has been analysed by a Parliamentary standing committee, which also recommended bringing back the concept of detention in schools.

Reasons For Abolishing No Detention Policy

- According to the Annual Status of Education Report (ASER) for rural India published by non-profit organisation Pratham, the proportion of all children in Class V who could read a Class II level text book declined to 47.8% in 2016 from 48.1% in 2014. The situation was equally alarming for arithmetic and English comprehension.
- It has been observed that there was a **lack of the preparedness of the education system** to support the no detention policy.
- Automatic promotion **disincentivizes children from working hard**, which eventually leads to low learning outcomes. Moreover, it also leads to a drop in the **accountability levels of the teachers**.
- **Comprehensive Continuous Evaluation** was proposed as an alternative to detention policy, however it was **not implemented as desired** which also played a big part in deteriorating learning outcomes.

Criticisms

- The new amendment contradicts fundamental promise of the Right to Education Act i.e. to provide a system that **makes the child free of fear, trauma and anxiety**.
- The policy of comprehensive continuous evaluation is especially at risk. It had replaced the annual exam with a system of tracking a child's progress through the year. It meant assessments were used for learning, to know where the child is struggling and taking remedial measures. **Flawed implementation** of this reform has been largely responsible for the hostility to the no detention policy.
- Scrapping no detention policy will **undermine the provision of admitting children in age appropriate classes**. Where a child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age.
- The amendment will complicate the implementation of **Section 4 of the Act**. It contains directions for admitting children who are out of school or whose education has been interrupted. Section 4 guarantees that children admitted directly into a higher class will have **access to special training to close the learning gap**. This was already not being implemented properly and now there will be no incentive to do so.
- Any confusion regarding admissions will also **undermine Section 9(d)**, which requires the local authority to maintain records of children up to the age of 14 years residing within its jurisdiction

- Making children repeat classes could **force the most marginalised and economically deprived among them to drop out.**

Conclusion

The amendment though a well meaning step, should be wary that it does not violate the other core principles of the RTE Act. Further, the amendment will only help so much in improving learning outcomes. In order to bring about a significant change it is important to address other bigger issues that are plaguing the system.

All India Survey on Higher Education Report (AISHE) 2017-18

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- The Union HRD Minister, recently released **AISHE report** as a part of the national conference of Vice-Chancellors and Directors.
- The report is based on voluntary uploading of data by institutions of Higher Education listed in aishe.gov.in portal in specially designed formats of data collection.
- Institutions are categorized in 3 broad Categories - **University, College and Stand-Alone Institutions.**

Highlights of The Report

- The top 8 States in terms of highest number of colleges in India are Uttar Pradesh, Maharashtra, Karnataka, Rajasthan, Andhra Pradesh, Tamil Nadu, Gujarat and Madhya Pradesh.
- **College density** i.e. the number of colleges per lakh eligible population (population in the age-group 18-23 years) varies from 7 in Bihar to 51 in Karnataka and Telangana as compared to **All India average of 28.**
- 60.48% colleges are located in rural area and 11.04% colleges are exclusively for women.
- Total enrolment in higher education has been estimated to be 36.6 million with 19.2 million boys and 17.4 million girls. Girls constitute 47.6% of the total enrolment.
- **Gross Enrolment Ratio (GER)** in Higher education in India is **25.8%**, which is calculated for 18-23 years of age group. GER for male population is 26.3% and for females, it is 25.4%.
- Pupil Teacher Ratio (PTR) in Universities and Colleges is 30.
- Maximum numbers of students are enrolled in B.A. programme followed by B.Sc. and B.Com. programmes.
- As far as the PG courses are concerned, maximum students enrolled in social sciences followed by management stream.
- Only 3.6% Colleges run Ph.D. programme and 36.7% Colleges run Post Graduate Level programmes.
- 34,400 students were awarded Ph.D. level degree during 2017 out of which 20,179 were males and 14,221 were females. The highest number of Ph.D. degrees awarded were in Science stream followed by Engineering & Technology.

Higher Education Financing Agency

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- CCEA has approved increasing the authorized share capital of HEFA to Rs. 10,000 crore from the current sum of Rs. 2000 crore and approved infusing additional government equity of Rs. 5,000 crore (in addition to Rs.1,000 crore already provided) in HEFA.

HEFA has been set up on May 31, 2017 by the Central Government as a **Non Profit, Non Banking Financing Company (NBFC)** for mobilising **extra-budgetary resources** for building crucial infrastructure in the higher educational institutions under Central Govt. It is the beginning of a new initiative to address the growing demand of finance for the higher education sector.

HEFA will provide an **alternative source of funding** to institutions to meet their financial requirements. It will also push institutions to become financially self-sustaining and not depend on the government for all their growth requirements. This would enable addressing the needs of all educational institutions with differing financial capacity in an inclusive manner.

- The CCEA has also approved that the modalities for raising money from the market through Government guaranteed bonds and commercial borrowings would be decided in consultation with the Department of Economic Affairs so that the funds are mobilized at the least cost.
- There would be a **negative list of projects** included in the credit policy of HEFA so that only essential projects are undertaken for financing.
- In order to expand this facility to all institutions, especially to the institutions set up after 2014, Central Universities which have very little internal resources, and the school education/health education infrastructure like AIIMSs, Kendriya Vidyalayas, the CCEA has approved the following five windows for financing under HEFA and the modalities of repaying the principal portion of the fund over ten years (interest continues to be serviced through government grants in all these cases).
 - Technical Institutions more than 10 years old: Repay the whole principal portion from the internally generated budgetary resources.
 - Technical Institutions started between 2008 and 2014: Repay 25% of the principal portion from internal resources and receive grant for the balance of the principal portion.
 - Central Universities started prior to 2014: Repay 10% of the principal portion from internal resources and receive grant for the balance of the principal portion.
 - Newly established Institutions started after 2014: for funding construction of permanent campuses grant would be provided for complete servicing of loan including the principal and interest.
 - Other educational institutions and grant-in-aid institutions of Ministry of Health: All the newly set up AIIMSs and other health institutions, the Kendriya Vidyalayas / Navodaya Vidyalayas would be funded and the Department/Ministry concerned will give a commitment for complete servicing of the principal and interest by ensuring adequate grants to the institution.

Benefits Of The Move

- Help in addressing the needs of all educational institutions with differing financial capacity in an inclusive manner.

- It would enable HEFA to leverage additional resources from the market to supplement equity to be deployed to fund the requirements of institutions. Government guarantee would **eliminate the risk factor in bonds issue** and attract investment in to this important national activity.
- **State-of-the-art labs and research facilities** will help in retaining the brightest young minds in India and will attract Overseas Citizens of India back to Indian universities which will **convert brain drain to brain gain**.
- Project based funding will bring greater discipline in selection and execution of projects. There will be no burden on the new institutions as the government will take the entire burden of servicing the loans and there will be no increase in student fees on account of this project.

Challenges Of Higher Education

- **Enrolment:** India's Gross Enrolment Ratio (GER) in higher education, at 26%, is very low despite an average growth of over 7% in the last decade. Although India aims to attain a GER of 30% by 2020, it's still much behind countries like China, which, currently, boasts an enrolment ratio of 43.39%. USA's GER is 85.8% and Pakistan's is 9.93%. With the increase of enrolments at school level, the supply of higher education institutes is insufficient to meet the growing demand in the country.
- **Quality:** Quality in higher education is a multi-dimensional, multilevel, and a dynamic concept. Ensuring quality in higher education is amongst the foremost challenges being faced in India today. A large number of colleges and universities in India are unable to meet the minimum requirements laid down by the UGC and our universities are not in a position to mark its place among the top universities of the world.
- **Infrastructure:** Poor infrastructure is another challenge to the higher education system of India, particularly the institutes run by the public sector suffer from poor physical facilities and infrastructure.
- **Faculty:** Faculty shortages and the inability of the state educational system to attract and retain well qualified teachers have been posing challenges to quality education for many years.
- **Accreditation:** As per the data provided by the NAAC, as of June 2010, not even 25% of the total higher education institutions in the country were accredited. And among those accredited, only 30% of the universities and 45% of the colleges were found to be of quality to be ranked at 'A' level.
- **Research and Innovation:** There is inadequate focus on research in institutes. There are insufficient resources and facilities, as well as, limited numbers of quality faculty to advice students. Most of the research scholars are without fellowships or do not get fellowships on time which directly or indirectly affects their research. Moreover, Indian higher education institutions are poorly connected to research centres.

RISE Scheme

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- In order to step up investments in general and research infrastructure in premier educational institutions, including health institutions, the government has launched a major initiative named **Revitalising Infrastructure and Systems in Education (RISE)**.

- The scheme aims to lend low-cost funds to government higher educational institutions. Under it, all centrally-funded institutes (CFIs), including central universities, IITs, IIMs, NITs and IISERs can borrow from a Rs 1,00,000 crore corpus over next 4 years to expand and build new infrastructure.
- It will be financed through suitably structured Higher Education Financing Agency (HEFA).

Objectives of RISE by 2022

- Qualitatively upgrade the research and academic infrastructure in India to global best standards by 2022.
- Make India an education hub by making available high quality research infrastructure in Indian higher educational institutions.
- To allow access of HEFA funding to institutions like Central Universities, AIIMS, IISERs and newly created Institutes of national importance, without creating any additional burden to the students.
- To bring greater accountability and speed in execution of infrastructure projects and avoid all cost/time over-runs, moving from the block-grant mode to project-mode for all infrastructure projects.
- To cater to the requirements of the Kendriya Vidyalayas and Navodaya Vidyalayas, and medical institutions like AIIMs in a faster time frame.

Conclusion

India is one of the fastest developing countries of the world with a large human resource pool. The initiative will aid in the development of quality educational infrastructure, harness the demographic dividend by converting it into skilled human resource and in the process lay the foundations of an **economic and intellectual powerhouse**.

NCTE Amendment Bill Passed

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- The Lok Sabha passed the **National Council for Teacher Education (Amendment) Bill** to grant **retrospective recognition** to Central/State institutions that are **conducting teacher education courses without NCTE approval**.
- The legislation has been brought for the benefit of the students who have appeared for B.Ed, M.Ed and various other exams, but their institutes are not recognised.
- This has been done as a **one-time measure** to ensure that the future of students studying in these institutions is not jeopardised and it will apply to 20 public institutions that are running such courses without the UGC approval.
- The amendment will make students studying in these institutions/ universities, or those who have passed out, eligible for employment as teachers.

NCTE

- NCTE is a **statutory body** set up under the NCTE Act 1993 and **came into force in 1995** and applies to all parts of India, except the State of Jammu and Kashmir.
- The main objective of the Act is to provide for the establishment of a NCTE to achieve planned and coordinated development of the teacher education system, regulation and ensure proper maintenance of norms and standards in the said system.

- All institutions running teacher education courses, such as B.Ed and D.El.Ed **have to obtain recognition from the NCTE.**
- The act formally **oversees standards, procedures and processes** in the Indian education system.
- It **functions for the central as well as state governments** on all matters with regard to teachers' education and its main Secretariat is located in the Department of Teacher Education and National Council of Educational Research and Training (NCERT).

Not Educating Girls Costs Global Economy 30 Trillion: World Bank

Syllabus: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.

In News

- In a report titled “**Missed Opportunities: The High Cost of Not Educating Girls**”, the World Bank has claimed that failure to educate girls could cost the world as much as US \$30 trillion globally in lost earnings and productivity.
- About 132 million girls worldwide aged 6 to 17 do not attend school, while fewer than two-thirds of those in low-income nations finish primary school, and only a third finish lower secondary school.

Benefits

- The benefits of educating girls are considerably higher at secondary school level in comparison to primary education. If every girl in the world finished 12 years of quality education, lifetime earnings for women could increase by \$15 trillion to \$30 trillion.
- Women who have completed secondary education are more likely to work and earn on average nearly twice as much as those with no schooling.
- Moreover, women with secondary and tertiary education *report higher standards of living* compared to those with primary education or lower.
- Women's educational attainment has a **large potential impact on their lifetime fertility and population growth**, both directly and through a reduction in child marriage and early childbearing.
- Other positive impacts are **reduced child mortality and malnutrition**.
- Educated women are at a **lesser risk of suffering violence** at the hands of their partners.
- It will also lead to an increase in women's knowledge of HIV/AIDS and their ability to make decisions for their own healthcare. It also leads to an improvement in their **psychological well-being**.

Indian Perspective

- The 2011 census highlights a large gender gap on the literacy front. It shows that male literacy rate is 82.14% while the **rate for females lags behind at 65.46%**. At the **secondary level of education, girls tend to drop out more than boys**, again posing a challenge to retain the girl child for secondary education.
- According to fifth Annual Employment – Unemployment Survey (2015-16) conducted by Labour Bureau, Ministry of Labour & Employment, **unemployment rate was significantly higher among females** as compared to males. At the all India level, the female unemployment rate was estimated to be **8.7 %**, whereas for males it was 4.0 %.

- Further, female **LFPR** was estimated to be **23.7 %** as compared to 75 % for males. In urban areas, this number drops further to only 16 %. For men, the comparable number is 69 %. Women in India only represent 24 % of the labour force that is engaged in any form of work in the market economy, compared with an average of 40 % globally.

Government Schemes Targetting Girls Education

- **Rashtriya Madhyamik Shiksha Abhiyan (RMSA):** Under the integrated scheme of **RMSA**, interventions including construction of new secondary schools, provision of toilets blocks in existing schools with separate toilets for girls, construction of Girls Hostels, special teaching for learning enhancement, self defence training, guidance and counselling facilities, conduct of adolescent education programmes, organization of empowerment/awareness camps are taken up to improve the education of girls at the secondary stage.
- **Sarva Shiksha Abhiyan (SSA)** was started in 2001, with the intent to provide education to children between 6 and 14 years by 2010. The programme focuses especially on girls and children with challenged social or financial backgrounds, charged with providing infrastructure and relevant resource material in the form of free textbooks to children in remote areas.
- **Sukanya Samridhi Yojana** was launched in 2015 to meet the expense of the girl child's higher education and marriage.
- **Udaan** scheme was launched to provide free online resources to girl students of Class XI and Class XII for preparation of admission test to the premier engineering colleges in the country. The special focus of scheme is to address the low enrolment ratio of girl students in these prestigious institutions and to enable girl students to receive special incentives and support so that they can join these institutions and go on to take leadership roles in the future.
- **National Scheme of Incentive to Girls for Secondary Education (NSIGSE)** provides Rs 3000.00 which is deposited in the name of eligible unmarried girls below 16 years as fixed deposit, who are entitled to withdraw it along with interest thereon on reaching 18 years of age and after passing class X. The objective of the scheme is to establish an enabling environment to reduce the drop outs and to promote the enrolment of girls children in secondary schools

Conclusion

Neglecting the education of women, who constitute nearly half of the population, does not auger well for the development of any nation. Education not only helps in correcting the obvious imbalance in the labour pool but also enhances their awareness of rights and entitlements in society. Economic independence and awareness helps to curtail the vicious cycle of negative stereotypes and aids women in chartering paths as individuals in their own right, contributing to the greater good of the society, polity and economy.

International Relations

Pakistani General Election, 2018

Syllabus: India and its neighbourhood- relations.

In News

- After the completion of a five-year term by the outgoing government, the Pakistani general election was held on July 25.
- At the national level, elections were held on 270 constituencies and each of the 270 constituencies elected one Member to the National Assembly of Pakistan.

- At the provincial level, elections were held in each of four province to elect Members of the Provincial Assemblies in their respective provincial assemblies.

Electoral System of Pakistan

- Pakistan's National Assembly comprises a total of 342 members, of which 272 are directly elected in single-member constituencies by first-past-the-post voting. 60 are reserved for females and 10 for ethnic and religious minority groups.
- The reserved seats use proportional representation with a 5% electoral threshold. However, this proportional number is based on the number of seats won rather than votes cast.
- A party can only form the government if it manages to clinch 172 seats in total.

Outcome Of The General Election

- The Pakistan Tehreek-e-Insaf (PTI), led by former cricket star Imran Khan, has emerged as the single largest party with at the national level both in terms of popular vote and in terms of seats (115 seats).
- The Pakistan Muslim League–Nawaz (PML-N), the former ruling party, has come second with 64 seats, and the late Benazir Bhutto's Pakistan People's Party (PPP) third with 43 seats.
- At the provincial level, the Pakistan Muslim League (Nawaz) (PML-N) remained the largest party in Punjab, the Pakistan Tehreek-e-Insaf (PTI) in Khyber Pakhtunkhwa (KP), Pakistan People's Party (PPP) in Sindh and the newly-formed Balochistan Awami Party (BAP) became the largest party in Balochistan.

Analysis

- Many analysts believe that the real winner in these elections is the military high command. A pliable leader and a minority government that will not be too powerful is what the Pakistani army wanted.
- Imran Khan was the clear favorite of the military in the run up to the elections and reports suggest that the electoral process was manipulated by the army in order to bring about the desired result.
- The role played by the military in influencing the elections became evident from the fact that several heavy weights among the PTI's opponents, especially leaders of the Pakistan Muslim League Nawaz (PML-N), were either disqualified or imprisoned in the period immediately preceding the elections.
- Most important, former Prime Minister Nawaz Sharif was removed in a military-engineered "soft coup" by a pliant Supreme Court on the vague charge that he was "not honest and reliable enough" to hold office.
- The slow pace with which election results were declared was blamed by the authorities on a software meltdown. However, the delay further fueled allegations of fraud by the military. It was interpreted as a strong indicator that the Election Commission had to wait for the "deep state" to approve (or alter) the results before announcing them.
- Imran Khan has endeared himself to conservative Muslims regardless of their party affiliations. Consequently, he now has the backing of the two strongest political institutions in Pakistan—the military and the mosque.
- Pakistan's security and foreign policies have always been the military's preserve with civilian governments provided very little leeway to make any major changes to them.
- Imran Khan, dependent upon the military for his political survival, is unlikely to challenge the established pattern of civil-military relations in the sphere of foreign policy as well as in most other arenas.

First Meeting of India-Bangladesh Joint Committee on Border Haats

Syllabus: India and its neighbourhood- relations.

In News

- The first meeting of the India-Bangladesh Joint Committee on Border Haats was held on 22-23 July 2018 in Agartala, Tripura.
- The Joint Committee visited the Border Haat at Kamlasagar (Sipahijala District, Tripura) – Tarapur (Brahmanbaria, Bangladesh) on 22 July 2018, appreciated its vibrant functioning and noted the need for improvement of infrastructure.
- Border Haats (or rural market) aims at promoting the well-being of the people dwelling in remote areas across the borders of two countries by establishing traditional system of marketing local produce thorough local markets in local currency or according to barter basis.
- Border haats along India-Banlgadesh border are established under MoU signed for Border Trade and Border Haats between these two countries in October 2010.

Why Bangladesh is so important to India?

- **Economic** –
 - Currently, the volume of bilateral trade between India and Bangladesh is about \$6.6 billion. There are estimates that the trade potential is at least four times the present level.
 - As one of the fastest-growing economy in the world in 2016 with more than 7 per cent growth, Bangladesh has a firm footing in the global apparel markets. It is providing a stiff competition to Indian apparel market in different part of the world.
 - Bangladesh is trying to adopt a “Blue Economy” outlook. Both countries are looking at strengthening economic cooperation through joint investments and cooperation under the ‘Blue Economy’ programme.
- **Strategic** –
 - Bangladesh is an important member of SAARC and in terms of diplomacy in the South Asian region, both countries have had identical views. Recently, Bangladesh helped India in its effort to isolate Pakistan on the issue of terrorism.
 - India is aspiring for a greater role in Asia-Pacific and it cannot afford to overlook Bangladesh.
 - Bangladesh can ensure connectivity of Northeastern States of India with rest of the world.
 - Also, China is trying to establish itself in the Bangladesh which can be counterproductive for India.
- **Energy** –
 - Bangladesh has a good amount of natural gas reserve and it had declined to sell the gas to India in the past.
 - The littoral states of Bangladesh have huge potential for hydrocarbon. Now that the maritime dispute between the two countries has been resolved, both country can work together for exploration of hydrocarbon.
- **Security** –
 - Both countries have been affected by the terrorism. Both India and Bangladesh have adopted a common stance on tackling terrorism by both cracking down on terror and also condemning, nations regarded as sponsors of terrorism.

- The recent terrorist attack in Dhaka signifies the presence of ISIS in Bangladesh which is a cause of concern for India.
- There are many terrorist organisations, which are active across both sides of the border. A coordinate effort will enable both these countries to fight against terrorism.
- The return of Awami League government in Bangladesh saw a crackdown on anti-India elements. Insurgent groups like ULFA were banned and the key figures like Arbinda Rajkova were readily extradited to India.

Israel Adopts Jewish Nation-State Law

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

In News

Israel has passed a "nation-state" law declaring that **only Jews** have the right of self-determination in the country. The legislation becomes part of the country's basic laws, which serve as a de facto constitution.

Key Highlights

- The law has defined the country as the nation state of the Jewish people.
- It makes Hebrew the country's national language and defines the establishment of Jewish communities as being in the national interest.
- Arabic, previously considered an official language, was granted only special status.
- The law states the "land of Israel" - a reference to all of historical Palestine - "is the historical homeland of the Jewish people", marginalising the existence of the Arab-Palestinian people inside the country who are citizens, as well as those in the occupied territories who are not.
- Unlike the rest of Israeli basic laws (the constitutional laws) - it **does not include the expression "Israel as a Jewish and democratic state"**. In fact, democratic does not appear once in the text, with the drafters having focused solely on the Jewishness of the state, abandoning the composite "Jewish and democratic".
- The bill does mention democracy and individual rights, but (unlike the Declaration of Independence) it does not refer to the equality of all Israel's citizens. By tying Israel's identity only to one people, it gives them constitutional privileges no other community can have access to.

Analysis

- A range of opposition politicians in Israel have denounced the vote and called it the death of Israeli democracy.
- This legislation is being termed as a "**racist**" **attempt to create "an apartheid state"** discriminating against Israeli Arabs who account for some 17.5 % of Israel's more than eight million population. They have long complained of discrimination. Passing of this law will further promote discrimination as well as racism. It puts Jewish identity ahead of the nation's democratic principles while making **Arab citizens permanent foreigners**.
- It would force the courts to consider the country's Jewish nature and lead to a more "narrow interpretation of Arabs' rights".
- The law lacked references to equality as specified in the country's 1948 declaration of independence.

- The passage of the law continues Israel's rightward shift in recent years amid frustration with failed peace agreements with the Palestinians and steady growth in settlement building in the occupied West Bank.
- The legislation will have a **far-reaching impact on social dynamics inside Israel** and on the future of peace with the Palestinians and **the two-state solution**.
- Palestinians have long demanded to have their own state in the West Bank, Gaza, and East Jerusalem, which were occupied during the 1967 war. The law will now **give illegal Israeli settlements legal backing** and officially get rid of any possibility of establishing a Palestinian state in the occupied territories.

ISRAEL-PALESTINE CONFLICT

- For centuries there was no such conflict. In the 19th century, the land of Palestine was inhabited by a multicultural population – approximately 86 percent Muslim, 10 percent Christian, and 4 percent Jewish – living in peace.
- **Zionism**
 - In the late 1800s, a group in Europe decided to colonize this land. Known as Zionists, they represented an extremist minority of the Jewish population.
 - Their goal was to create a Jewish homeland, and they considered locations in Africa and the Americas, before settling on Palestine.
 - At first, this immigration created no problems. However, as more and more Zionists immigrated to Palestine – many with the express wish of taking over the land for a Jewish state – the indigenous population became increasingly alarmed. Eventually, fighting broke out, with escalating waves of violence.
 - Hitler's rise to power, combined with Zionist activities to sabotage efforts to place Jewish refugees in western countries, led to increased Jewish immigration to Palestine, and conflict grew.
- **UN Partition Plan**
 - Finally, in 1947 the United Nations decided to intervene. However, rather than adhering to the principle of "self-determination of peoples," in which the people themselves create their own state and system of government, the UN chose to revert to the medieval strategy whereby an outside power divides up other people's land.
 - Under considerable Zionist pressure, the UN recommended giving away 55% of Palestine to a Jewish state – despite the fact that this group represented only about 30% of the total population, and owned under 7% of the land.



EU and Japan Sign Trade Deal

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

In News

The European Union and Japan signed a huge free trade deal that cuts or eliminates tariffs on nearly all goods. It was signed at EU-Japan summit and creates free trade zone covering nearly third of the world's GDP.

Key Highlights

- The core of the agreement aims to increase the flow of **Japanese cars to Europe and of European food to Japan**.
- The Europeans are expected to scrap a 10 percent tariff on passenger cars made in Japan, over a period of seven years. Duties would come down more rapidly for some car components.
- The Japanese, in return, are expected to lower duties on European cheeses like Gouda from the Netherlands, while retaining their unusually complex regulations on dairy products.
- It provides EU companies access to large procurement markets of 48 large Japanese cities.

Analysis

- Together, the European Union and Japan would constitute a trading bloc of a size to rival that created by the North American Free Trade Agreement, presently the world's biggest free trade zone.
- The agreement covers 600 million people and almost a third of global economy that too at a time when global trading system is under increasing threat from protectionism.
- An independent Impact Assessment of a potential trade deal with Japan suggests that it could increase EU output by up to 0.76%.
- Negotiators have refused to include whaling and logging in the talks, which has angered environmental groups. Also, many analysts are characterizing the deal as "a huge transfer of power from people to big business."
- The biggest issue that has not yet been agreed on is how to ensure that investors have a way to resolve disputes arising as a result of the deal.
- The Europeans want to employ a court system rather than ad hoc arbitration, which has been used for decades but has been heavily criticized by European lawmakers and environmental groups as being too soft on industry interests. The Japanese, however, argue that existing institutions are enough.
- European negotiators have also failed to persuade the Japanese to accept guarantees on freer flows of data.

European Union General Data Protection Regulation

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

In News

- The European Union has enforced General Data Protection Regulation (GDPR). At its core, GDPR is a new set of rules designed to give EU citizens more control over their personal data.
- It aims to simplify the regulatory environment for business so both citizens and businesses in the European Union can fully benefit from the digital economy.

Key Highlights

- Under the terms of GDPR, not only will organisations have to ensure that personal data is gathered legally and under strict conditions, but those who collect and manage it will be obliged to protect it from misuse and exploitation, as well as to respect the rights of data owners - or face penalties for not doing so.
- Some of the key privacy and data protection requirements of the GDPR include:
 - Requiring the consent of subjects for data processing
 - Anonymizing collected data to protect privacy
 - Providing data breach notifications
 - Safely handling the transfer of data across borders
 - Requiring certain companies to appoint a data protection officer to oversee GDPR compliance
- GDPR requirements apply to each member state of the European Union.
- Any company that markets goods or services to EU residents, regardless of its location, is subject to the regulation. As a result, GDPR will have an impact on data protection requirements globally.

Background

- In the last eight years, over 7.1 billion identities were found to have been exposed in data breaches worldwide.
- While countries in the EU have long possessed data protection legislations, with a notable example being Ireland's 1995 Data Protective Directive, the European Parliament approved the GDPR in 2016. It became enforceable on 25 May 2018.

Impact on India

- **Companies in India** with dealings with the EU have taken the first step towards compliance by changing their privacy statements. The number of parties is wide ranging. They include the entertainment and tourism industry, the financial, healthcare and retail sectors, mobile app developers and non-profit organisations, as well as those who deal with personal data of EU individuals.
- In such a case, data privacy concerns could **impact economic cooperation among countries** in this region, including between ASEAN and India, particularly in digital connectivity. This is due to the exchange and application of big data becoming one of the most important drivers in today's e-commerce and e-governance exchanges.
- The Commission, as a result of treating the protection of personal data as a fundamental right in the EU, can only allow data flow between the EU and third countries with mechanisms provided under the EU data protection legislation. This implies that, ultimately, bilateral and multilateral free trade agreements (FTAs) with the EU, including an upcoming India – EU FTA may see the **parameters of the GDPR being reincorporated into them**.
- India is the EU's 9th and 10th largest trading partner for the EU's imports and exports respectively as of 2017. In such a scenario, the EU could make its data protection scheme a trade-off in its economic relations.

State Visit of President of Republic of Korea to India

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

In News

- President of the Republic of Korea (ROK) Mr. Moon Jae-in paid a State Visit to India from July 8-11, 2018.
- India sees ROK as an indispensable partner in its '**Act East**' policy. Similarly, ROK aims to further strengthen bilateral relations with India, which is a central pillar of ROK's '**New Southern Policy**'.
- This high-level visit took place with a desire to further strengthen the ROK-India '**Special Strategic Partnership**' built on the foundations of deep-rooted historical and cultural bonds.

Key Highlights

List of MoUs/Documents signed between India and the Republic of Korea during the State Visit of President of Korea to India include:

Name of Document	Objectives
Joint Statement on Early Harvest Package of the Upgraded Comprehensive Economic Partnership Agreement (CEPA)	To facilitate ongoing negotiations on upgrading the India-RoK CEPA by identifying key areas for trade liberalization (including Shrimp, Molluscs and Processed Fish).
MoU on Trade Remedies	For cooperation in the area of trade remedies viz. anti-dumping, subsidy, countervailing and safeguard measures through consultations and exchange of information
MoU on Future Strategy Group	For cooperation in development of cutting edge technologies for commercialization to reap benefits of the 4th Industrial revolution. Thrust areas include Internet of Things (IOT), Artificial Intelligence (AI), Big Data, Smart Factory, 3D Printing, Electric Vehicle, Advance Materials and affordable healthcare for the elderly and disabled.
Cultural Exchange Programme for the period 2018 – 2022	To deepen cultural and people-to-people relations by providing for institutionalized cooperation
MoU on cooperation in the field of scientific and technological research between Council for Scientific and Industrial Research (CSIR) and National Research Council of Science and Technology (NST)	For cooperation in scientific & technological research, including in areas of affordable water purification technologies etc.
MoU on cooperation between Research Design and Standards Organization (RDSO) and Korea Railroad Research Institute (KRRI)	For cooperation in railway research, exchange of railway related experience and development of railway industries.
MoU between Government of Gujarat and Korea Trade Promotion Agency (KOTRA)	To enhance industrial and investment relations between South Korean companies and the State of Gujarat. KOTRA shall open an office in Ahmedabad and will

	become one of the partner organizations for the Vibrant Gujarat Global Summit 2019.
MoU regarding Queen Suriratna Memorial Project	To facilitate upgradation and expansion of the existing monument commemorating Princess Suriratna (Queen Hur Hwang-ok), a legendary Princess of Ayodhya, who went to Korea in AD 48 and married King Kim-Suro. A large number of Koreans trace their ancestry to this legendary princess. The new monument will be a tribute to the shared cultural heritage and long-lasting friendship between India and RoK.

Analysis

- Moon’s visit to India is significant in several aspects. First, the Moon government considers India one of the primary partner countries for its ‘**New Southern Policy**’ (**NSP**), which aims to enhance bilateral and multilateral relationships in the realm of **3Ps – Peace, Prosperity and People** – between South Korea and the member countries of the Association of Southeast Asian Nations (ASEAN) plus India.
- Also, the NSP’s primary goals are congenial to those of the Modi government’s ‘**Act-East**’ policy aiming at the region’s prosperity.
- The NSP can be the tipping point at which the Korea-India relationship accelerates through its extension to cultural, political, and security cooperation from the previous econo-centric ties. For example, maritime security cooperation is an area where both nations can generate synergistic benefit to increase their influence in the Indian Ocean and the Pacific Ocean.
- Enhancing the Korea-India relationship in the 3Ps can substantially contribute to regional prosperity and peace, which may bring a new regional order to Asia in the long run.
- However, there are some difficult tasks for South Korea and its partner states, such as India, to structure a new regional order.

NSP And Its Implication
<ul style="list-style-type: none"> • The NSP is Moon’s idea conceived during his visit to partner countries in Southeast Asia for the APEC, ASEAN+3 (China, Japan, and South Korea) and the East Asia Summit in November 2017. It aims to build peace and prosperity in the region by expanding South Korea’s diplomacy primarily to ASEAN+1(India) through the exchange of human and cultural resources. • The NSP has a political impact not only on the Korean Peninsula, but also across Asia. First, the NSP presents South Korea’s aspirations in taking the lead in structuring sustainable peace in the region. • In the blueprint for the permanent peace-building, primarily through North Korea’s de-nuclearisation and support from neighbouring states, the Moon government appears to consider ASEAN and India as the main partners. • It is also a precise movement, raising its guard against the rising influence of China and Japan in the region. It intends to do so by shifting its balance of diplomacy by diversifying and re-balancing its previous diplomatic dependency upon four powers – China, Japan, Russia, and the US.

Visit of External Affairs Minister to Bahrain

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

In News

- External Affairs Minister, Smt Sushma Swaraj paid an official visit to the Kingdom of Bahrain on 14-15 July 2018 to Co-Chair the 2nd High Joint Commission (HJC) Meeting with Bahraini Foreign Minister H.E. Shaikh Khalid Bin Ahmed Bin Mohamed Al Khalifa.
- The High Joint Commission was established by a MoU signed between two sides during the historic State visit of Hamad bin Isa Al Khalifa, King of Bahrain, to India in February 2014.
- Bilaterally, India enjoys close and multifaceted ties with Bahrain, underpinned by regular exchange of high-level visits and extensive people-to-people contacts.
- Bahrain is an important partner for India in the Gulf region. Further 3,50,000 Indian nationals, the largest expatriate community in Bahrain, and more than 3000 Indian-owned/joint ventures have been contributing to the development of Bahrain.

Key Highlights

- Both the leaders welcomed the establishment of Confederation of Indian Industries (CII) office in Manama, at the Economic Development Board Headquarters, to promote bilateral trade and investment between the two countries.
- Both sides also welcomed the holding of the Bahrain - India Week Forum 2017, held in Manama on 6-7 April 2017.
- During the visit, the following Agreements/MOUs were signed:
 - i) Agreement on Exemption from Short Stay Visa for Holders of Diplomatic and Official/Special Passports.
 - ii) MoU on Renewable Energy.
 - iii) MoU on Cooperation in the Field of Healthcare.

State Visit of Prime Minister to Rwanda, Uganda and South Africa

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

In News

- The Prime Minister of India paid a State Visit to Republic of Rwanda (23-24 July), Republic of Uganda (24-25 July) and Republic of South Africa (25-27 July).
- This was the first visit by an Indian Prime Minister to Rwanda and the first visit by our Prime Minister to Uganda in over 20 years.
- Africa has been the top priority of India's Foreign Policy. Over the last few years, there has been a significant intensification of our engagement in various fields with African countries.
- The visit of Prime Minister to Rwanda, Uganda and South Africa further strengthened our relations with the African continent.

Important Highlights**A. Rwanda**

- This visit represented the 5th high-level interaction between India and Rwanda in one and half years including two visits by President of Rwanda to India, visit by the Vice President of India to Rwanda and recent visit by the President of Senate of Rwanda to India.

- Rwanda was the first of the **18 new resident Indian Missions** to be opened in Africa in 2018, underlining the importance attached by India to its relations with Rwanda.
- List of important MoUs/Documents signed between India and Rwanda during visit include:
 - Amendment on the MoU on Cooperation in the field of Agriculture and Animal Resources
 - Agreement on Cooperation in Defence on Capacity Building, Defence, Industry, Science and Technology
 - MoU on Cultural Exchange Program for the year 2018-22
 - MoU on Agricultural Research and Education between RAB and ICAR -
 - MoU on Collaboration in the Areas of Leather and Allied Sectors between NIRDA and CSIR-CLRI
 - LOC Agreement for US \$ 100 million for development of Industrial Parks and expansion of Kigali Special Economic Zones.
 - LOC Agreement for US \$ 100 million for Agriculture irrigation scheme in Rwanda
 - Trade Cooperation Framework - Facilitate, diversify and promote trade and economic cooperation between the two countries
- Prime Minister announced the setting up of a Task Force in the field of digital education including the provision of e-library which will bring benefits in the education sector of Rwanda.
- PM announced setting up of the **Entrepreneurship Development Centre** in Kigali which would provide training to youth of Rwanda for enhancing their skills in a variety of sectors,
- The Prime Minister of India visited the **Gisozi Genocide Memorial** and laid a wreath on the memorial of victims of the 1994 genocide against the Tutsi.
- He also visited *Rweru Model village* outside Kigali in order to support the personal initiative of President Kagame under '**Girinka programme**', a social protection scheme of '*one cow-one family*' to uplift the people from poverty and to bring about brotherhood and solidarity. As a contribution from India to the Scheme under 'Girinka programme', the Indian Prime Minister gifted two hundred cows.

B. Uganda

- An important segment of the visit of PM Modi was the first ever address by an Indian Prime Minister to Ugandan Parliament, which was telecast live in India and other African countries. In this historic speech, PM inter-alia, outlined India's engagement and approach to Africa.
- List of MoUs signed between India and Uganda during visit include:
 - MoU on Defence Cooperation.
 - MoU on Visa exemption for Diplomatic and official passport holders.
 - MoU on Cultural Exchange Programme.
 - MoU on Material Testing Laboratory.
- India announced several areas of engagement with Uganda. These included:
 - **Two Lines of Credits** for construction of electricity lines and Substations worth US\$141 million and Agriculture and Dairy production US \$ 64 million,
 - India's contribution for establishment of **Mahatma Gandhi Convention/Heritage Center** at Jinja where the ashes of Mahatma Gandhi were immersed in the Nile,

- **Training** of Uganda People's Defence Force (UPDF) in various Indian Army training institutions as well as the deployment of Indian Military Training Team in Uganda's Senior Command and Staff College (SCSC) in Kimaka.
- Keeping in mind Uganda's role in East Africa, Prime Minister also announced a financial support of US \$ 929,705 for East African Community (EAC) which is currently chaired by Uganda.
- India also announced donation of 88 vehicles, 44 each for the Ugandan Peoples Defence Forces (UPDF) and for the civil use by the Ugandan Government, Bhabhatron Cancer Therapy machine to Uganda Cancer Institute, 100,000 NCERT books for school going children of Uganda and 100 solar-power irrigation pumps to help in development of agriculture.

C. South Africa

- The visit to South Africa was in the context of BRICS Summit. 10th BRICS summit was held at Johannesburg in South Africa.
- List of MoUs signed between India and South Africa during 10th BRICS Summit included:
 - Memorandum of Understanding between the Indian Council of Agricultural Research, New Delhi and the Agricultural Research Council, Pretoria on Cooperation in Agricultural Research and Education.
 - Memorandum of Understanding on setting up of the "Gandhi Mandela Centre of Specialisation for Artisan Skills" in South Africa.
 - Memorandum of Understanding between Indian Space Research Organisation and the South African National Space Agency on Cooperation in the Exploration and uses of Outer Space for Peaceful Purposes.

10TH BRICS SUMMIT: JOHANESBURG DECLARATION
<ul style="list-style-type: none">● The 10th BRICS Summit was held at Johannesburg from 25 - 27 July 2018. It was held on the occasion of the centenary of the birth of Nelson Mandela.● Theme of this summit was - "BRICS in Africa: Collaboration for Inclusive Growth and Shared Prosperity in the 4th Industrial Revolution".● Leaders of the BRICS countries expressed satisfaction regarding the achievements of BRICS over the last ten years as a strong demonstration of BRICS cooperation toward the attainment of peace, harmony and shared development and prosperity, and deliberated on ways to consolidate them further.● Leaders also welcomed the hosting of the BRICS-Africa Outreach and second BRICS Plus Cooperation with Emerging Markets and Developing Countries (EMDCs) during the Johannesburg Summit.● Johannesburg Declaration included following areas:<ol style="list-style-type: none">1. Strengthening Multilateralism, Reforming Global Governance, And Addressing Common Challenges –<ul style="list-style-type: none">○ The BRICS leaders reaffirmed their commitment to the United Nations, as the universal multilateral organisation entrusted with the mandate for maintaining international peace and security, advancing global development and promoting and protecting human rights.○ They reaffirmed and supported the establishment of the BRICS Agricultural Research

Platform (ARP) initiated by India in 2016 and the Basic Agriculture Information Exchange System (**BAIES**).

- The progress in the establishment of the BRICS Environmentally Sound Technology (**BEST**) Cooperation Platform is acknowledged, which is intended to be practical and results orientated, and would include partners, science organisations, civil society, private sector and financial institutions.
- BRICS leaders acknowledged the **8th World Water Forum** held in Brasilia, the world's major water-related event, held in the Southern Hemisphere for the first time, which contributed to establishing water as a priority at the global level.
- They welcomed the 1st WHO Global Ministerial Conference on **Ending Tuberculosis in the Sustainable Development Era: A Multisectoral response**, in Moscow in 2017, and the resulting Moscow declaration to End TB.

2. Strengthening And Consolidating BRICS Cooperation In International Peace And Security

- In this regard, the leaders reaffirmed their commitment to collective efforts for peaceful settlement of disputes through political and diplomatic means, and recognise the role of the UN Security Council as bearing the primary responsibility for maintaining international peace and security.
- The leaders reiterated their support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (**UNRWA**).
- They also commended the African Union's commitment to the "**Silencing of the Guns by 2020**" and support efforts to strengthen the African Peace and Security Architecture.

3. BRICS Partnership For Global Economic Recovery, Reform Of Financial And Economic Global Governance Institutions, And Fourth Industrial Revolution

- Recalling the Johannesburg Summit's focus on the 4th Industrial Revolution and the outcomes of the BRICS Meetings of Science and Technology and Industry Ministers, the leaders commended the establishment of the **BRICS Partnership on New Industrial Revolution (PartNIR)**.
- PartNIR aims at deepening BRICS cooperation in digitalisation, industrialisation, innovation, inclusiveness and investment, to maximise the opportunities and address the challenges arising from the 4th Industrial Revolution.
- Terming skill development as critical for inclusive growth, the leaders supported measures including policy recommendations proposed in the **G20 Initiative to Promote Quality Apprenticeship** and the **BRICS Action Plan for Poverty Alleviation and Reduction through Skills**.
- BRICS leaders acknowledged the importance of infrastructure development and connectivity in Africa and recognised the strides made by the African Union to identify and address the continent's infrastructure challenges, inter alia, through the **New Partnership for Africa's Development (NEPAD)** and the **Programme for Infrastructure Development in Africa (PIDA)**.
- Keenly aware of the need for Africa's industrialisation and the realisation of the African Union's Agenda 2063, the leaders commended African countries and the African Union on the signing of the African Continental Free Trade Area (**AfCFTA**).

4. People-To-People Cooperation

- They recognised the importance and role of culture as one of the drivers of the 4th Industrial Revolution and acknowledge the economic opportunities that it presents.
- They emphasised the guiding role of the Action Plan for the Implementation of the **Agreement between the Governments of the BRICS States on Cooperation in the Field of Culture (2017-2021)** for creative and sustainable cultural cooperation.
- The leaders commended the organisation of the **3rd BRICS Film Festival** and recognised the need to further deepen cooperation in this field. They acknowledged South Africa's proposal regarding a draft BRICS Treaty on Co-Production of Films to further promote cooperation in this sphere and to showcase the diversity of BRICS cultures.

Global Innovation Index 2018

Syllabus: Important International institutions, agencies and fora- their structure, mandate.

In News

- The Global Innovation Index (GII) has ranked India as the **57th** most innovative nation in the world.
- The GI is being developed jointly by Cornell University, the Paris-based business school Insead, and the World Intellectual Property Organisation (WIPO) in Geneva.
- GI ranks 126 economies based on 80 indicators. Its 80 indicators explore a broad vision of innovation, including political environment, education, infrastructure and business sophistication.

Key Highlights

- This year's edition, is dedicated to the theme of *Energizing the World with Innovation*. It analyses the energy innovation landscape of the next decade and identifies possible breakthroughs in fields such as energy production, storage, distribution, and consumption.
- It also looks at how breakthrough innovation occurs at the grassroots level and describes how small-scale renewable systems are on the rise.
- **Top 10 countries** – Switzerland (1), Netherlands(2), Sweden(3), UK(4), Singapore(5), USA(6), Finland(7), Denmark(8), Germany(9), Ireland (10).
- **Ranking of BRICS Nations** – China (17), Russia (46), India (57), South Africa (58), Brazil (64)

India Specific Observation

- India has improved its ranking from 60th position in 2017 to 57th position in 2018. It has been improving steadily since it was ranked 81st in 2015.
- India is a top performer in the lower middle-income group, where it is ranked at fifth position. It is the most innovative country in its region of central and southern Asia.
- In the indicators that capture the quality of innovation inputs and outputs, India is ranked second after China in the lower and upper middle-income group combined.
- India's strength was reflected in indicators such as human capital (graduates in science & engineering), growth rate of GDP per worker, exports of information and communication technology (ICT) and services, productivity growth and creative goods exports etc.
- On the other hand, India has fared badly on indicators such as ease of starting business, political stability and safety, overall education and environmental performance.

India's National Innovation System**Introduction**

- The current national innovation system in India is a vast and complex system comprised of knowledge producers such as science and technology institutions, academia, and innovating individuals and knowledge users (e.g., industry-production/services in the public and private sectors).
- There are various councils and research structures under various ministries, which cater to different research areas and which are distributed around the country. Examples include CSIR, ICAR, ICMR, DRDO etc.
- There are also more than 1200 privately or state-funded Scientific and Industrial Research Organizations (SIROs).
- In academia, there are universities in the public sector, including institutions of high education such as Indian Institutes of Technology (IITs) and the Indian Institute of Science (IISc), self-financing and deemed universities.
- Furthermore, there are financial institutions such as the Industrial Development Bank of India (IDBI) and the Small Industries Development Bank of India (SIDBI), which lend support for innovation and also for commercialization of innovative technologies besides entrepreneurship.
- Also, various fiscal incentives are offered by the Department of Scientific and Industrial Research towards the R&D activities performed by institutions, academia, and industry for supporting, nurturing and leading their innovations towards fruition.

Steps Taken By The Government

- Government of India declared 2010-2020 as "**Decade of Innovation**", for which the roadmap was prepared by the newly established National Innovation Council.
- The **Science, Technology and Innovation Policy 2013** outlines the major policy initiatives to strengthen the innovation ecosystem and give a boost to the development of innovation-led entrepreneurship in India.
- Lead paper on technology and innovation for the 12th five-year plan
- To convert India into a knowledge economy, **Digital India Programme** was launched.
- **AIM Platform**: ATAL Innovation Mission (AIM) under NITI Ayog
- **VAJRA** (Visiting Advanced Joint Research) scheme under DST
- **IMPRINT** scheme
- **ASPIRE** scheme
- **SETU** (Self-Employment and Talent Utilization) scheme

Current Challenges

- **Fragmented policy and policy implementation**
- **Inadequate funding of R&D**
- **Difficult and lengthy funding procedures**
- **Weak linkages between stakeholders**: The linkages between industry, especially medium and small-scale enterprises and R&D or academic institutions are weak, which limits their capacity for mutual understanding and technology transfer.

- **Non-conductive education system:** The general education system is still too focused on grades and careers and is not oriented toward innovation and entrepreneurship. This situation is further worsened by the inherent problems of lack of infrastructure and good facilities in the educational institutions; delays in the funding system; and delays in the funds or other support reaching innovation projects.
- **Poor infrastructure facilities in villages:** Basic infrastructure facilities such as electricity, Internet, roads and rail, and even the availability of a skilled workforce, are not evenly distributed in India and often weak in smaller cities or towns and rural parts of the country. Thereby, there is less scope for innovation and entrepreneurship to flourish in such areas.
- **Risk aversion among entrepreneurs:** Indian entrepreneurs often seek established technology as a basis for starting their business; they are hesitant to take on innovative ideas because of the risks involved, including the low availability and high cost of funds that often arrive too late. As a result, they look for minimum risk and quick returns.
- **Inadequate protection of intellectual property rights:** In India, the intellectual property regime is weak. Innovators do not generally seek protection for their intellectual property unless forced to. For most entrepreneurs, patents and other forms of protection take too long and cost too much.

Conclusion

- There has been a substantial thrust toward science, technology, and innovation in past 20 years, and many initiatives have been undertaken in that direction.
- However, the investments in science, technology, and innovation are not yet translating into the desired reality.
- Realizing that the innovation-led entrepreneurship development holds promise for growth, the government has taken major policy initiatives with a strong innovation agenda. The policy is in place; now, its success depends on its implementation.

Global Slavery Index 2018

Syllabus: Important International institutions, agencies and fora- their structure, mandate.

In News

- The **Global Slavery Index 2018** was released recently. It is published by the Australia based human rights group **Walk Free Foundation**.
- In the context of this report, modern slavery covers a set of specific legal concepts including **forced labour, debt bondage, forced marriage, slavery and slavery-like practices, and human trafficking**.
- Although modern slavery is not defined in law. It is used as an umbrella term which refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and abuse of power.

Performance Of Other Countries

- According to the estimates of the index, around **40.3 million** people were living in modern slavery in 2016.
- Globally, around **71 percent** of modern slavery's victims are **women and girls**. There are more female than male victims across all forms of modern slavery.

- **North Korea** has the **highest number of modern slaves** in the world with over one in 10 people living in bondage.
- The index lists **repressive regimes** as a particular concern because their populations are put to work to prop up the government. Another major driver is **conflict situations** which result in the breakdown of rule of law, social structures, and existing systems of protection.
- Eritrea, Burundi, the Central African Republic, Afghanistan, Mauritania, South Sudan, Pakistan, Cambodia and Iran are the worst offenders after North Korea.

Indian Specific Observation

- The Global Slavery Index 2018 estimates that on any given day in 2016 there were nearly **8 million** people living in modern slavery in India. In terms of prevalence there were **6.1 victims for every 1000 people**.
- Among 167 countries, **India ranked 53 in terms of prevalence** with North Korea at the top of the list with 104.6 per 1,000 and Japan registering the lowest prevalence rate of 0.3 per per 1,000.
- Ranking of India and its neighbours – Afghanistan (5), Myanmar (18), **India (53)**, Nepal (55), Bangladesh (92), China (111), Sri Lanka (130).
- The study further states while modern slavery clearly occurs within India, the realities of global trade and business make it inevitable that India, like many other countries globally, will also be exposed to the risk of modern slavery through the products it imports.
- The Global Index also cites the National Crime Records Bureau (NCRB) data to point that there were 8,132 reported cases of human trafficking across India in 2016. In the same year, 15,379 people were trafficked of whom 9,034 victims were below the age of 18.
- While the bonded labour system is formally abolished and criminalised, recent research indicates that bonded labour is still prevalent in India. The report highlighted state of Tamil Nadu as an example where different spinning mills use bonded labour schemes, otherwise known as **Sumangali schemes**.
- There is evidence pointing to an emerging trend in northeast India where organised trafficking syndicates operate undetected along the open and unmanned international borders, duping or coercing young, educated girls seeking employment outside their local area into forced sexual exploitation.
- The report states that the skewed sex ratio in some regions in India is fuelling trafficking and selling of brides within India.
- A lack of official identity documents increases internal Indian migrant workers' vulnerability and reduces their capacity to access basic social services. Lack of social networks, as well as cultural and linguistic differences also add to the vulnerability of Indian migrant workers from other states.
- Children of Indian seasonal migrant workers are a particularly vulnerable group as they face barriers accessing education due to the isolation of the work sites where their parents work. This results in them ending up working alongside their parents.

Response To Modern Slavery In India

- India has criminalised most forms of modern slavery, including trafficking, slavery, forced labour, and child sexual exploitation, in its Penal Code.
- However, under *Section 366 of the Penal Code*, **forced marriage** is only criminalised when kidnapping is present.
- There is currently no legislation criminalising the use of **children in armed conflict**.

- **Trafficking of Persons** (Prevention, Protection and Rehabilitation) Bill 2018 has been passed by Lok Sabha.
- A draft **Domestic Workers Regulation of Work and Social Security Bill 2016** has been submitted to the Indian government for consideration. This bill seeks to extend existing labour laws to cover domestic workers and ensure that they are entitled to the minimum wage and to access social security.
- In 2016, the government adopted the new “**Central Sector Scheme for Rehabilitation of Bonded Labourers**”.
- The **Ujjawala and Swadhar schemes** initiated by the Ministry of Women and Child Development run shelter and rehabilitation services for rescued women as well as promoting awareness campaigns within local communities.
- The government ratified two core **ILO conventions** in 2017, namely No. 138 on Minimum Age to Employment and No. 182 on the Worst Forms of Child Labour.
- A **National Plan for Action for Children** was also established in 2016 to strengthen and monitor national, constitutional, and policy efforts in line with the **2013 National Policy for Children**.
- With the passing of the **Child Labour (Prohibition and Regulation) Amendment Act** in 2016, India has set a general minimum working age of 14 years for children and a minimum age of 18 years for hazardous work.
- Additionally, the Indian government revised the guidelines of the **National Child Labour Project (NCLP) scheme** in 2016 which aims to eliminate all forms of child labour, and launched the corresponding Platform for Effective Enforcement for No Child Labour (PENCIL), which aims to support effective legislative enforcement and implementation of the NCLP.
- The government also supports initiatives such as **Track Child** and “**Khoya-Paya**” e-portal that help trace and rescue vulnerable children.

Recommendations

Strengthen Legislation

- Ratify and implement the ILO Domestic Workers Convention, 2011 (No. 189).
- Pass the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill and provide adequate financial resources towards implementation.
- Pass the National Domestic Workers Regulation of Work and Social Security Bill 2016 and provide adequate financial resources towards implementation.

Improve Victim Support

Allocate adequate financial and human resources to local governments to set up units that assist internal migrant workers to access new identification documents, social security benefits, and housing assistance.

Strengthen Coordination And Transparency

- Implement a National Action Plan for all victims of modern slavery that recognises the different contexts of cross-border and localised forms of slavery.
- Strengthen the role of the National Human Rights Committee (NHCR) as an independent government body to oversee and coordinate India’s response to all forms of modern slavery.

Eradicate Modern Slavery From The Economy

- Encourage companies to fund local initiatives and NGOs which are combatting modern slavery and providing victim services, as part of the fulfilment of the CSR requirements under the 2013 Companies Act.
- Conduct mandatory labour inspections in high-risk industries within the informal sector, such as brick kilns, textile, and granite/stone/mineral industries.
- Mandate all industries and businesses to create credible grievance mechanisms that are accessible to vulnerable workers.
- Pass legislation mandating large companies to annually report on steps taken to eliminate modern slavery in their supply chains.

Economic Growth and Development

LIC Buys IDBI Bank

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- The Life Insurance Corporation of India (LIC) has obtained the approval of Insurance Regulatory and Development Authority of India (IRDAI) to buy **upto 51 %** in debt-ridden IDBI Bank from the current 10.82%.
- LIC's bid to acquire controlling stake in the IDBI bank may give it an entry into the banking space, while allowing the government to raise around **Rs 10,000 crore** thereby helping it meet the disinvestment target for the year and will also reduce to a similar extent the need for future capital infusion.
- Unlike in the other public sector banks, the government can pare its stake in IDBI Bank to below 50% because this bank is not governed by the **Bank Nationalization Act, 1969**. The central government owned 85.96% equity in IDBI Bank.
- IDBI Bank is the worst performing state-owned lender in terms of Non-Performing Assets (NPAs). For the year ended March 31, 2018, IDBI Bank's Gross NPAs rose to 27.95% i.e. out of every Rs 100 loaned by the bank, Rs 28 turned into NPAs. In 2017-18 the bank reported a net loss of Rs 8238 crore up from Rs 5158 crore in 2016-17.
- The LIC-IDBI Bank stake sale in a way mirrors the controversial buyout by **ONGC of GSPC** and later **HPCL** when its majority shareholder- the government deemed it necessary to push these transactions ignoring the interests of its minority shareholders.

Question Whether LIC Can Enter A New Business

- **LIC Housing Finance:** In 2013, LIC Housing Finance had applied to the Reserve Bank of India for a universal banking licence. The RBI however, chose **IDFC Bank and Bandhan Bank** for licenses out of a list of 26 applicants.
- **LIC Act:** LIC owns 40.31% stake in its housing finance arm. In its discussions with the Finance Ministry, the Corporation has argued that the **Life Insurance Corporation Act, 1956** permits it to enter an unrelated business that it is capable of running.
- **IRDAI Regulation:** The existing rules of the Insurance Regulatory and Development Authority of India (IRDAI) do not permit LIC to raise its shareholding in a single listed entity **beyond 15%**. Since LIC already holds 10.82% stake in IDBI Bank it would require exemption from the IRDAI to pick up a majority stake in the bank. The insurance regulator has laid down this condition to ensure that the Corporation does not put policyholder's money at risk and have a diversified portfolio.

Benefits

- **Rescue IDBI:** LIC proposal to take over IDBI Bank will rescue IDBI from a crippling crisis caused by massive rise in bad loans. The capital infusion may be worth more than Rs 9000 crore in one or more tranches.
- **Less Burden On Government:** With LIC coughing up the money, the government has one less bank to deal with whenever it considers capital allocation for public sector banks.
- **LIC Will Bring in Fresh Thinking:** LIC will now have higher representation in IDBI board. So there will be fresh thinking, which should help IDBI in the long run.

Challenges/Criticism

- **LIC deals with policy holder's money:** Because LIC deals with policyholder's money and provides them with protection, some experts argue that buying a controlling stake in a beleaguered state-owned bank may not be a prudent decision.
- **May put the LIC at risk:** It could put the Corporation at risk, since it would be required to pump in capital in the bank year after year.
- **Concentration risk:** LIC is already a large investor in public sector banks and holds a more than **9% stake** in 16 out of India's 21 public sector banks. Loading up a higher stake in IDBI Bank will expose the Corporation to the concentration risk of investing disproportionately in a single sector.
- **Capital alone is not enough for IDBI Bank:** In the past decade, IDBI Bank has received capital from the government to the tune of Rs 22884 crore as per the data from ICRA. Even last fiscal, it received Rs 12471 crore in capital from the state. If the past capital investments did not help it much, it is doubtful whether LIC's investment alone can bring the bank out of the slump.
- **Cut out public from the disinvestment:** The Centre's move to ask listed state-owned undertakings to buy other PSUs' stakes from the government leads to cutting out the public from the process the disinvestment process. It prevents broad participation by retail investors in the divestment exercise and retains state ownership.
- **Deprive investing PSU of investment in own business:** It leads to depriving the investing PSUs of the chance to deploy their funds in their own or related businesses.
- **Regulatory Independence:** IRDAI has waived a regulatory ceiling of 15% investment in a company by a life insurer. It undermines the credibility of regulators on account of the need to provide exemptions. The current situation stems from conflicts of interest at play when government is an owner, law maker and also overseer of regulators.
- **Lack of clarity on how LIC will contribute in betterment of IDBI:** There is lack of clarity on how LIC is going to contribute to the betterment of IDBI Bank's governance, which is a prerequisite for better performance.
- **IDBI already under PCA:** The proposal will not be kosher as IDBI Bank is under the RBI's prompt and corrective action (PCA) rules and therefore may not be a viable investment proposal for LIC. Banks under PCA are barred from lending though they can continue accepting deposits.



Way forward

Between policyholders and shareholders of IDBI Bank, nobody should benefit at the cost of other. Instead there is an urgent need of a roadmap for government to exit banks.

One Year of GST

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- The launch of Goods and Services Tax (GST) in India on July 1, 2017 and its subsequent implementation have been hailed internationally as a transformational reform. It has removed multiplicity and cascading of taxes, economically united the country, and further eased doing business in India.

- Since its launch, India's GST regime has evolved significantly. After its initial days were marred by stuttering IT systems, the deadline for filing returns was pushed forward till most taxpayers got a hang of the system and the GST Network could augment its capacity.

Benefits

- **Expansion of Tax Net:** The strongest sign is the entry of over **4.5 million entities** in the country's tax net many of which would have so far been part of the cash-driven informal economy. This expansion of the tax net will also help increase direct tax collections.
- **Revenue Buoyancy:** With GST collections rising to Rs 95610 crore in June 2018, the government now expects monthly average collections from this destination based consumption tax to top **Rs 1.10 lakh crore** and revenues of over Rs 13 lakh crore from the GST this fiscal.
- **Improved Tax Compliance:** The tax avoidance has become more difficult and a compliance level have steadily increased and is expected to improve further once the e-way Bill system stabilizes and invoice matching becomes a reality.
- **Reduced Interface With Tax Officials:** About 12 crore returns have been filed and 380 crore invoices have been processed by the GST Network - the IT backbone for taxpayers to pay tax, file returns and claim refunds without having to interface with a tax official.
- **Increasing Formalization:** Increasing formalization of the economy and linkage between direct and indirect tax return filings (small businesses are required to quote their GST identification numbers in their tax return forms for 2018-19) is also expected to check evasion.
- **Streamlining Of The Distribution systems:** GST has also allowed businesses to streamline distribution systems i.e. production, supply chain, storage to make them more efficient, having previously been forced to design them keeping state taxes in mind.
- **Inflation rate didn't rise:** It was widely feared that GST would cause inflation to rise, as happened with many countries that launched a single tax regime. That hasn't happened in India because of the multi-slab structure. It ensured the levy was as close as possible to the existing rate, which meant the incidence of tax didn't rise. The second factor was the anti-profiteering authority, which ensured that the businesses did not abuse the transition.
- **Reduction in turnaround time:** There is enough evidence on the ground to show that the turnaround time for transportation of goods has come down with the dismantling of barriers and check posts on state borders. And gradually it should lead to the emergence of a truly national market.

Challenges

- **Multiple Tax Rates:** Unlike many other economies which have implemented this tax regime, India has multiple tax rates.
- **New Cesses crop up:** While GST scrapped multiplicity of taxes and cesses, a new levy in the form of compensation cess was introduced for luxury and sin goods. This was later expanded to include automobiles. A new cess on sugar is also being examined.
- **Half the Economy Outside GST purview:** Nearly half the economy remains outside GST. E.g. petroleum, real estate, electricity duties remain outside GST purview.
- **Refunds Problem For Exports:** The refund mechanism for exporters including data matching law besides procedures governing them have irked the sector particularly smaller entities that saw their working capital requirements rise.

- **Compliance has miles to go:** The biggest dampener was the compliance process, as information technology glitches took more than the anticipated time to be resolved.
- **Cumbersome Registration System:** Multiple registration requirements have complicated things for industry, which was expecting simplicity. In many cases registration is required in all states. Companies fear that multiple audits and assessments due to multiple registrations could make life more difficult for them.
- **GST not contributed to the growth:** The GST has not added the promised 2% to the GDP growth rate, on the contrary growth fell in the first year of GST's implementation. From 7.1% in 2016-17, GDP growth rate fell to 6.7% in 2017-18.

Next On The Agenda

- **Expansion Of Tax Base:** There are many goods that are still outside the GST net, which comes in the way of seamless flow of input tax credit. Key items outside its ambit are electricity, alcohol, petroleum goods and real estate. Among fuels, it may be possible to bring natural gas and aviation fuel within GST.
- **Tax-Slab Rationalization:** Too many rates lead to classification issues and tax disputes distracting from the simplicity of a single tax that GST should have been. There are as many as six slabs excluding exempt goods.
- **Lower Tax Rate:** There has been a substantial reduction in the number of products in the 28% bracket with goods moved to the 18% one. There is further scope for cutting the peak rate on all products other than sin goods.
- **GST Returns Simplification:** This is the biggest item on the agenda as far as businesses and compliance are concerned. The committee set up for this task has been working on the new format and the IT-related changes required.
- **Legislative changes:** Over the past year several issues that need to be fixed through legislative changes have accumulated. Some of these relate to input tax credit and the requirement of paying tax up front on various transactions such as deemed exports and subsequently claiming a refund.
- **More data analytics needed:** The GSTN fraud analytics project aims to leverage the power of big data and advanced analytics, which will enable GSTN to extract better insights from data and enhance system for reducing fraud evasion. The format of the e-way bill has been designed to capture invoice related information so that the government can use data analytics to identify concern areas and plug revenue leakages.

Way forward

- Surely glitches remain but these are largely in the operational domain and relate to issues such as return filing, invoice matching, reverse charge mechanism and technology. What is clear is that positives outweigh the negatives. So unlike Malaysia, there is no turning the clock back on GST.
- The GST Council must pursue a time-bound approach to execute plans already announced to ease taxpayer's woes such as an e-wallet for exporters and a simpler return form.
- From the point of view of economic efficiency, tax administration and investor confidence, the key is to have fewer rates and a simple, stable regime. That's what the government and the GST Council should be aiming for next.

Single GST Rate Idea

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- Some political parties have been demanding that the Centre must do away with the four-slab GST rate structure and make it more simplified.
- The Congress, on the other hand, promised to reduce it to one slab if voted to power in 2019. Currently, the GST slabs are 5%, 12%, 18% and 28%.
- Recently, GST Council has reduced tax rates on 328 items out of 1200 items, which are currently under the GST system.

Rationale For Single Rate Of GST

- **Eliminate the problems of multiple slabs:** The multiplicity of rates leads to classification disputes, unnecessary litigation, and avoidable corruption.
- **Remove complexity:** The current GST rates of zero, 3% (for gold and silver), a low 5% rate, two medium rates of 12% and 18%, a peak 28% rate plus cess of up to 15% on demerit and luxury items and 0.25% on rough diamonds, makes it needlessly complex. The way forward is to do away with the 28% rate altogether.
- **Better tax compliance:** The lower rates should further boost tax buoyancy and lead to much better tax compliance.
- **Remove the problem of lobbying:** Every taxpayer wants to be taxed at the lower rate and lobbies for it. This creates a fertile ground for lobbyists to operate.

Negative Implications

- **Burden on ordinary people:** This will be a burden on the poor and the middle class, if there was 18% GST on items of daily use such as clothes, salt and sugar.
- **Low tax nation by compliance:** If all the taxpayers pay their taxes, India could become a low-tax nation, thus eliminating the need for multiple rates of taxes.

Way forward

- The two middle rates of GST need to be fused. The objective needs to be to have in effect, three GST rates: zero, a low rate and a standard rate, which is now the norm for large economies adopting GST.
- Just two or three GST rates would prevent classification issues, avoid litigation, boost compliance and shore up tax buoyancy, which in turn, should lead to further declaration of income for direct taxation and widen the tax base proactively economy wide.

Higher Threshold For Tax Appeals

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- The government has decided to hike the monetary threshold for appeals in tax matters to bring down the amount under litigation by Rs 5600 crore. And about 66 % of the tax disputes at various levels of judiciary is proposed to be withdrawn out of the total amount of Rs 7.6 lakh crore under litigation in tribunals, high courts and Supreme Court (as of March 2017).
- As per Economic Survey 2017-18, the tax departments have gone in for contesting against in several tax disputes but with a low success rate which is **below 30 %**.

- The government has increased the threshold for the tax department to file appeal before Income Tax Appellate Tribunal/Customs, Excise and Service Tax Appellate Tribunal (ITAT/CESTAT) to Rs 20 lakh from Rs 10 lakh earlier, for high courts to Rs 50 lakh from Rs 20 lakh and as for the Supreme Court to Rs 1 crore from Rs 25 lakh.

Benefits

- Reduce litigation:** The direct tax department will be able to reduce matters under litigation by total 41 % while the indirect tax department would see a 18 % reduction in such disputes.
- Focus on high value litigation:** This is a major step in the direction of litigation management of both direct and indirect taxes as it will effectively reduce minor litigation and help the departments focus on high value litigation. Thus, it will enable the tax administration to focus on more important matters rather than spread their energy on a plethora of small matters.
- Ease of doing business:** It will further the government's avowed objectives of promoting a taxpayer friendly environment and help promote ease of doing business.
- Benefit for small taxpayers:** Small and mid-sized taxpayers will benefit with the increase in threshold limit for filing appeals as they can now focus on doing business rather than litigating in various fora.

Lighter Load

Govt takes measures to reduce tax litigation

Higher threshold

Threshold to be raised for filing appeal in case of adverse decision

	Current limit	Revised
ITAT / CESTAT	₹10 lakh	₹20 lakh
High Courts	₹20 lakh	₹50 lakh
Supreme Court	₹25 lakh	₹1 Crore

(total tax implication)

What it means

- ▶ **Sharp decline** in the number of cases once this is implemented
- ▶ **Going ahead** the number of decisions appealed will also fall

Project Sashakt

Syllabus: Indian Economy and Issues relating to mobilization of resources


In News

The government has announced a bank-led *five pronged* comprehensive plan i.e. **Sashakt** for the resolution of stressed assets with public-sector banks (PSBs) including creation of one or more widely held asset management companies (AMC) for loans above Rs. 500 crore.

Sunil Mehta Committee Recommendations (Project Sashakt)

- For Big-size Assets**
 - Creation of Alternative Investment Fund/AMC:** In case of large stressed accounts (**over Rs 500 crore**) amounting to Rs 3.1 lakh crore with exposure spread across multiple banks, an alternative investment fund (AIF) would raise funds from institutional investors. Banks also have an option to invest in the fund if they wish to participate.
 - Market Mechanism For Price Discovery:** In case these high-value assets are to be sold, the price discovery would be through open auction by the lead bank. The idea is that AMC/AIF would become a market maker, capable of ensuring fair price and cash recovery. The security receipts could be redeemed within 60 days. The AMC/AIF could steer the turnaround themselves or engage external parties.

Project Sashakt

<p>Mehta Panel Recommendations</p> <p>Five-pronged approach for resolution of loans</p> <p>PSBs to take lead in setting up asset management company for loans above ₹500 cr</p> <p>AIF to raise funds from Institutional Investors</p>	<p>Bank-Led Resolution Approach (BLRA) for loans of ₹50-500 crore</p> <p>Lead bank to implement resolution plan in 180 days</p> <p>Independent screening committee to validate due process in 30 days</p>	<p>SME Resolution approach for loans below ₹50 crore</p> <p>Banks to develop templated resolution approaches</p> <p>Set up empowered SME steering committee</p> 
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- **Live Auction Mechanism:** The proposed online platform can be used to hold live auctions of distressed loans to make the process transparent, thereby mitigating the risk of future accusations of wrongdoing by investigative agencies against bankers.
- **For mid-sized assets**
 - For mid-sized bad assets (**Rs 50-500 crore**), which are of similar aggregate size as of the large ones, there will be a purely banks led resolution approach under which they would enter into an **inter-creditor agreement (Project Sashakt)** to authorize the lead bank to implement it in **180 days**. The lead bank will then prepare a plan and may involve turnaround specialists and industry experts in its implementation.
 - **Objective of Inter creditor agreement:** The objective of inter creditor agreement is to prevent the earlier delays that were there in decisions being made amongst the banks itself. And through this inter creditor agreement responsibility will be thrust to the respective lead banks, which have the largest exposure in those stressed assets and participative banks will be informed of the progress made.
 - **Approval of 66% of lenders:** The 66 % of the lenders must approve such a plan. In case the lead bank fails to complete the resolution process in 180 days, the asset would be referred to the National Company Law Tribunal for insolvency proceedings.
 - **Overseeing committee:** Each resolution plan would be submitted to an overseeing committee comprising experts from the banking industry.
 - **Option before the dissenting Creditors:** The dissenting creditors will have the option to sell their loans to other lenders at a discount of **15%** of the liquidation value, or buy the entire portfolio paying **125%** of the value agreed under the debt resolution plan by other lenders. Dissenting creditors can also exit by selling their loans to any entity at a price mutually arrived at between the lender and buyer
 - **Legally Enforceable Agreement:** This inter-creditor agreement will be a legal document and enforceable in any court of law. It makes sure that there is effective, good communication amongst banks and if anyone has a difference then they will resolve it among themselves.
 - **Monitoring mechanism:** In addition, the committee has recommended the setting up of a robust monitoring and review mechanism to track resolution with clear escalation metrics for breached timelines.
- **Resolution Plan for Loan Under 50 Crore:** Under the **SME Resolution Approach (SRA)**, loans up to Rs 50 crore would be dealt using a templated approach supported by a steering committee, the resolution will be completed in a time-bound manner i.e. within **90 days**.

Draft On Cross Border Insolvency

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- In order to strengthen the Insolvency and Bankruptcy Code, the government has released a draft on cross border insolvency.
- The existing IBC provides for two **Sections i.e. 234 and 235** relating to cross border insolvency but these are not adequate to effectively deal with default cases such as that of Kingfisher Airlines. In many of the ongoing cases under the IBC, several companies have assets and operations outside India for which a legal framework is required to deal with the assets overseas. Existing provisions only allow the Central government to enter into an agreement with a foreign country for enforcing

provisions of the Code. Second, the government can issue a letter of request to a country outside India seeking information.

- On the global scale, the **UNCITRAL Model Law on Cross-Border Insolvency, 1997** (“Model Law”) has emerged as the most widely accepted legal framework to deal with cross border insolvency issues, while ensuring the least intrusion into the country’s domestic insolvency law. Due to the growing prevalence of multinational insolvencies, 44 States till date, including Singapore, UK, and USA have adopted the Model Law.

Provisions Of Draft Insolvency Norms

- **Agreement with other countries:** As per the draft law, the central government after entering into agreement with other countries may bring overseas asset of a domestic corporate debtor into consideration of insolvency resolution in India.
- **Bank access to overseas assets:** It would enable the banks access overseas assets of a company undergoing resolution.
- **Foreign creditor to be given reciprocity:** Similarly, the Indian authorities will also be required to cooperate with foreign creditors of a domestic company.
- **Initial application only to corporate debtors:** While initially the cross border insolvency framework will apply only to corporate debtors, later on it can be extended to cases of personal insolvency resolution as well.
- **UNCITRAL model:** The draft favours adoption of the UNCITRAL (United Nations Commission on International Trade Laws) model on dealing with cross-border insolvency. The UNCITRAL model law envisages a balance between liquidation and reorganization of global companies going in for resolution.

Final Analysis

The draft norms have now been issued to plug the loopholes in Insolvency code and have an effective resolution mechanism in place for cross-border insolvency.

MCX, NSE Merger Proposal

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- The National Stock Exchange (NSE) and Multi Commodity Exchange of India (MCX) have held exploratory talks to combine their operations and provide a one stop shop for trading in all kinds of products.
- **Background:** A merger of NSE with MCX or with its cross-town rival BSE has always been touted as a possibility especially after the capital markets regulator allowed exchanges to offer all asset classes under one roof under the **universal exchange** guidelines from October 1 2018.
- **Existing ownership:** Kotak Mahindra Bank was the single largest shareholder of MCX at the end of June this year. Mutual funds own 21.71%, FPIs including JP Morgan Indian Investment Company and HSBC Global Investment Funds own 26.27% while well-known investor Rakesh Jhunjhunwala owns 3.92%. NSE is owned by local banks, insurance companies and a clutch of private equity funds including General Atlantic and Premji Invest.

- **Relative Strength:** The strengths of both exchanges makes such a merger expedient. NSE offers the most liquid platform for trading shares in the cash market and derivatives on its futures and options platform. It also offers a liquid currency derivatives trading platform. MCX is the number one commodity bourse in the country, accounting for anywhere between 84% and 90% market share.

A Win-Win Deal

MCX
Merged entity would have access to NSE's equity and currency market platforms, bonds and Interest rate futures segments

NSE
Stock exchange would get a readymade platform for:
Non-farm commodities
Metals and energy

SEBI RULE
Benefits could also accrue to merged entity as Sebi allows more institutional participation in commodity futures and options
Sebi has already allowed brokerages to merge their commodity subsidiaries with themselves as a step towards universal exchange

HOW THEY FARED IN FY17
MCX turnover share: **90.82%**
NCDEX's share: **9.18%**
NSE, which holds **15%** in NCDEX, had turnover share of **83.5%** in equity cash segment and **99.9%** in derivatives segment

- **Large market share:** The merger, if and when it happens, will help create a bigger exchange with 60% market share spanning everything from equity derivatives to commodity futures.
- **Other consequences:** A reverse merger with MCX will also allow shareholders of NSE, which include many private equity funds to convert their illiquid stock into liquid stock and unlock value after having remained invested for more than 8 years. Moreover, brokers will not have to maintain separate demat or trading accounts and margins to trade would be fungible, saving costs to broker and clients and contributing to higher volumes in a universal exchange.
- **Global scenario:** Globally, the largest derivatives marketplace is CME Group handling 3 billion contracts worth approximately \$1 quadrillion annually (on average). Its exchanges i.e. CME, CBOT, NYMEX and COMEX offer the widest range of global benchmark products across all major asset classes, including futures and options based on interest rates, equity indexes, foreign exchange, energy, agricultural commodities, metals, weather and real estate.

Ease Of Doing Business Ranking

Syllabus: Indian Economy and Issues relating to mobilization of resources, growth etc.

In News

- The DIPP and World Bank has released the latest Ease of doing Business ranking in which **Andhra Pradesh** has topped the list, followed by Telangana and Haryana. Andhra Pradesh had scored the top spot in the previous year too.
- Others in the top-10 states are Jharkhand (4), Gujarat (5), Chhattisgarh (6), Madhya Pradesh (7), Karnataka (8), Rajasthan (9) and West Bengal (10).
- The DIPP also added that **17 states** have achieved a reform evidence score of more than 90 per cent and **15** have achieved a combined score of 90 per cent and more.
- The rankings have been drawn up on the basis of performance across **372 parameters**. These cover a gamut of regulatory practices, such as factory inspections, environmental regulations, labour laws, construction permits, land availability and single-window clearances.
- DIPP, in collaboration with the World Bank conducts this annual reform exercise for all states and Union territories under the **Business Reform Action Plan (BRAP)**.
- **Basis of score:** The assessment under the BRAP 2017 is based on a combined score consisting of 'reform evidence score' that is based on evidence uploaded by states and Union territories as well as 'feedback score' that is based on response garnered from the actual users of the services provided to the businesses. It is for the *first time* that DIPP has introduced taking feedback to ensure that the reforms have actually reached ground level.

Final Analysis

- **Evaluation and Improvement:** The ranking of States on the basis of 'ease of doing business' on a regular basis is a good exercise as it helps to evaluate the best practices in governance. By formally putting down the States on a scale, benchmarking becomes easier and they can work towards improving their position.
- **Benefit of Adding New Dimension:** The new dimension added this time is the feedback from users. The process hence is two-fold where the first step involves complying with a series of reforms in terms of changes in systems, which is easier to implement. But more important is how the stakeholders feel about the same. By giving a weighted score, both the issues are addressed.
- **Newer States Better Placed:** States that are new and relatively small would be better placed to score well as those starting off would find it easier to bring in the best practices as adaptation would be easier. The larger State economies will have legacy issues and have to comply with the book gradually.
- **High Ranking Does Not Have Correlation With High Investment:** A surprise element is Maharashtra, which is probably the most industrialized State and also lodging the financial hub of Mumbai, having a rank of 13. Tamil Nadu comes even lower at 15. These two are considered to be the more advanced States along with Gujarat and Karnataka. It does appear that State rankings on 'ease of doing business' are not a necessary condition for drawing investment. Investment decisions are driven by factors such as: availability of power, intrinsic strengths such as being a mineral base, roads, access to ports, links with ancillary industries, availability of skilled and unskilled labour, availability of land or rentals, and access to finance. It would probably only be at the margin when an entrepreneur has to choose between two States, other things being the same, that the ranking could become decisive.

Way forward

Rankings also need to take a gamut of institutional and socio-economic concerns into account. For instance, they do not adequately factor in the role of public goods such as health, education, gender equality, law and order and sanitation in creating an appropriate ecosystem for business.

Law Panel Favours Legalizing Gambling With Regulations

Syllabus: Indian Economy and Issues relating to mobilization of resources

In News

- The Law commission report titled **Legal Framework: Gambling and Sports Betting including Cricket in India**, leaves the final call to Parliament and the state legislatures and recommends various ways to regulate the betting market.
- The report was triggered by the Supreme Court which, while considering the **Lodha Committee report** on cricket, asked the Commission to examine the issue.
- Betting and gambling are state subjects. **Goa and Sikkim** have legalized many forms of betting and gambling.

Law Commission Views

- **Betting need regulation:** The Commission concluded that legalizing betting and gambling is not desirable in India in the present scenario. Therefore, the state authorities must ensure enforcement of a complete ban on unlawful betting and gambling. But it immediately adds that since a total ban isn't practical, regulation is a good approach provided the Parliament legalizes betting. Thus, if

Parliament or the state legislatures wish to proceed in this direction, the Commission felt that regulated gambling would ensure detection of fraud and money laundering etc.

- **Parliamentary model law:** The Parliament should enact a Model law for states or alternatively may legislate in exercise of its powers under **Articles 249 or 252** of the Constitution, which allows it to enact a law on a state subject in larger national interest. It further clarifies that State Legislature is also competent to enact the required law but it should be in consonance with the national policy on gambling and other relevant legal provisions.
- **Licence only for Indians:** The report favours a licensing regime for which only Indian nationals should be eligible. Gambling and betting, if any, should be offered only by Indian licensed operators from India possessing valid licences granted by the game licensing authority.
- **Cashless transaction with help of Aadhar and PAN:** The commission suggests linking Aadhaar/PAN card to betting for both operators and participants, cash-less digital transactions to help monitor cash flow.
- **Limitation and Classification:** The Commission favoured the limitations on the amount an individual can bet and also recommended a classification of 'proper gambling' and 'small gambling'. Proper gambling would be for the rich who play for high stakes, while small gambling would be for the low-income groups.
- **Capping:** The panel wanted the government to introduce a cap on the number of gambling transactions for each individual: monthly, half-yearly and annually. Restrictions on the amount should be prescribed, while using electronic money facilities such as credit cards, debit cards and net-banking.
- **Protection of Vulnerable section:** To ensure that the vulnerable sections are protected, the report recommends that minors and people below the poverty line, those who get subsidies or do not fall within the purview of the Income Tax Act or the GST Act should be debarred from participating.
- **Criminalizing certain offences:** It also recommends that match-fixing and sports fraud should be made criminal offences with severe punishments.
- **Applicable to All Games, not just skilled centric games:** In 1996, the Supreme Court made betting on horse races legal saying that it involved skill rather than chance. The Law Commission has done well to suggest making this applicable to all sports (skill-centric games) ending a prejudiced approach.
- **Changes in Laws:** Current laws don't support betting and therefore the Commission felt that they should be amended accordingly. The National Sports Development Code 2011 and the Indian Contract Law of 1882 should be modified.
- **Amending FEMA rules:** The Commission also said that the Foreign exchange management and Foreign direct investment laws and policies should be amended to encourage investment in the casino/online gaming industry. This would propel tourism and employment.

Gambling in other countries

Roll of the dice
Legal status of gambling globally

Europe: The biggest markets are the U.K., Spain and Germany, which have legal and regulated gambling, both land-based casinos and online betting. France and Iceland have banned online casinos, but allow land-based casinos

Americas: Canada and Mexico have legalised all forms of gambling. In the U.S., some States allow gambling. Nevada allows all forms of gambling

Africa: Over 30 countries have legalised all forms of gambling. South Africa is a well-known hotspot for casinos

Asia: Gambling was outlawed in Singapore since 2014. Japan has recently allowed land-based casinos. In China, all forms of gambling, except for physical sports betting, are outlawed

Australia: Land-based and online casinos are legal under regulations

Argentina, Peru, Panama, Costa Rica and the Dominican Republic have legalised all forms of gambling. Chile and Brazil only allow off-shore casinos, while Cuba has outlawed gambling

Arguments In Favour Of Legalizing Betting

- **Generation of Revenue:** With the underground betting market estimated at **Rs 3,00,000 crore**, legalizing betting offers a revenue gold mine both for the Centre and states that can be used for social welfare and employment.
- **Development of Tourism:** Allowing foreign direct investment in say, casinos makes sense to boost tourism.
- **Reduced black money:** It would also enable the Government to effectively curb the menace of black-money generation and money laundering through illegal gambling.
- **Curb underworld control:** It will strike at the underworld's control over the illegal and unregulated gambling industry.
- **Assist law-enforcement authorities:** Decriminalization of betting will bring transparency, create audit trails and make it less tough for law enforcement agencies to trace underground players.
- **Essential for Punishing Offenders:** Few Pakistani cricketers like Mohammad Asif, Salman Butt and Mohammad Amir went to jail in UK because betting is legal there and it was deemed that they cheated punters by their act. In a country where betting isn't legal and fixing and frauds aren't deemed a criminal offence and the players could not have been punished.
- **Mitigate corruption in sports:** It will mitigate the risk of corruption in sports and ensure transparency mechanism that operates in a controlled setting through a preventive law criminalizing its breach.
- **Ambedkar favoured its inclusion:** The Commission also states that Dr Ambedkar advocated its inclusion in Constitution saying that if the entry of betting and gambling under **7th schedule** is omitted, there would be absolutely no control over betting and gambling activities at all.
- **Lodha commission favoured its legalization:** The commission echoes the Justice Lodha Committee, which had advocated legalizing betting in cricket and making match-fixing a criminal offence.

Negative Implication Of Legalizing Betting/Gambling

- **Leave poorer more poor:** A country as poor as India should not allow legalised gambling since such a move would leave the poor more poorer.
- **Still a social stigma:** Socio-economic and cultural circumstances of the country are not pragmatic to accept legalized gambling activities as it is still treated as a social stigma.
- **Vested interest favour legalisation:** Only vested interests want legalisation of gambling so to make undue profits. Thus this would favour amassing of money clandestinely by a handful of game operators.
- **Segregation not based on equity:** The attempt to segregate "proper betting" for high stakes from "small gambling" by the poor may not survive scrutiny. The disbaring from participation all players who get subsidies or do not pay taxes may violate the **principle of equality of access**. Persuasion may prove to be a more suitable protector of the vulnerable than such segregation.
- **Recommendations are idealistic:** To expect an identity-validated system that disallows certain income brackets to curb illegal gambling altogether maybe idealistic. Similarly, to expect seamless governance and monitoring without taking into account the human resources needed to be dedicated to the cause is also somewhat unrealistic.

Way forward

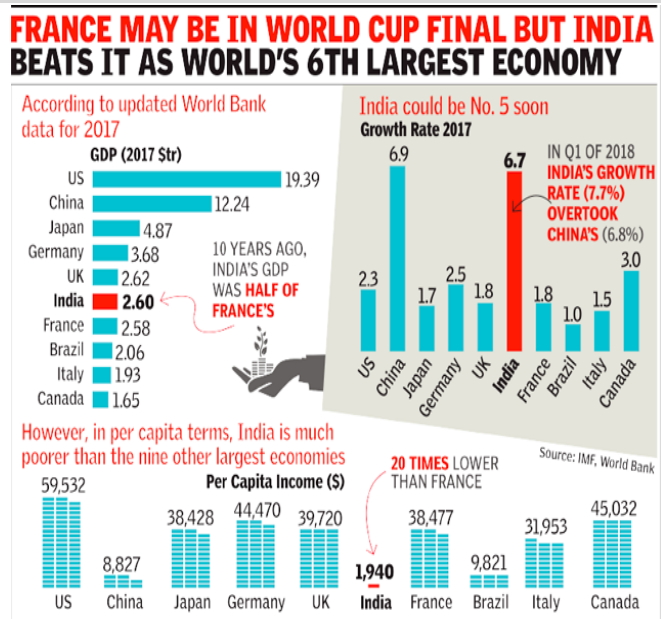
- It's too early to say whether or not the legalizing or regularizing of sports betting or wagering in India will have the impact expected of it. Such a decision will impact multipronged aspects and the need to ensure that a tamper-proof framework is in place will add to the cautious approach.
- At the same time the Commission has favoured stringent and overarching regulations. Safeguards are vital but any arbitrariness will defeat the goal of legalizing betting.
- India should follow countries such as *UK* that have robust regulation on betting and gambling with prudent safeguards.

India Becomes World's Sixth Largest Economy

Syllabus: Indian Economy and Issues relating to growth.

In News

- India has become the world's sixth-biggest economy, pushing France into seventh place, according to updated World Bank figures for 2017. India's gross domestic product (GDP) amounted to \$2.597 trillion at the end of last year, against \$2.582 trillion for France.
- India with a population of around 1.34 billion, is poised to become the world's most populous nation by 2030, whereas the French population stands at 67 million. This means that India's per capita GDP continues to amount to just a fraction of that of France which is still roughly 20 times higher, according to World Bank figures.
- The US is the world's top economy, followed by China, Japan and Germany.



25 Countries in Global Bank's High Risk List

Syllabus: Indian Economy and Issues relating to growth.

In News

- **China, UAE, Cyprus, and Mauritius** - along with 21 other countries - have been tagged as "high-risk jurisdictions" by Global banks acting as custodians for foreign funds (HSBC, Deutsche Bank, Citi, Standard Chartered and JP Morgan) and it shared the list with market regulator SEBI.
- Other countries figuring in the 'high-risk jurisdiction' list are Bahamas, Bahrain, Bermuda, British Virgin Islands, Cayman, Channel Islands, Cook Islands, Guernsey, Indonesia, Isle of Man, Jersey, Kuwait, Liechtenstein, Malaysia, Oman, the Philippines, Russia, Saudi Arabia, Thailand, Trinidad and Tobago, and Turkey. Hong Kong, Switzerland, and Luxembourg have been excluded from the list.
- SEBI-registered foreign portfolio funds invest in India through 56 countries. Of these, **25 are now considered 'high risk'**.

- Now large investors and beneficial owners of these funds entering India through these high-risk jurisdictions will face close scrutiny.

Impact Of Treating A Jurisdiction As High Risk

- **Full KYC Compliance:** Even the regulated and low-risk (*category 2*) funds investing from such jurisdictions will have to undertake full KYC as applicable to a *category 3 FPI* (like hedge funds).
- **Providing Financial Information:** This will also mean providing financial information of the fund and identity proof of ultimate beneficial owners (UBOs) and authorized signatories which some investors might not be uncomfortable with.
- **Impact on NRIs and PIOs:** The non-resident Indians and persons of Indian origin will run into new hurdles in participating in funds set up in these countries for trading on Indian exchanges. According to the new SEBI rule, NRIs and PIOs cannot be beneficial owners (BO) of FPIs (foreign portfolio investors). BO would mean **25% ownership** in a company or **15%** in a trust or partnership. The entry barrier is stiffer as the threshold (for establishing NRI control or dominance in the fund pool) would be at a lower level of **10%**, if the FPI is based in a high-risk jurisdiction. The BO rule would also be triggered if the fund manager is an NRI though not an investor. Thus, NRIs and OCI (overseas citizen of India) cardholders will not be able to own more than 10% of such FPIs coming from high-risk jurisdictions, while details of any investor who owns more than 10% in the FPI will have to be provided to the custodian.

Negative Implication

- **May Impact Genuine Investors:** While this is aimed at curbing the use of these jurisdictions for fund round tripping, some fear it could impact genuine investors.
- **Reciprocal steps by other countries:** It may lead to reciprocity by the concerned jurisdiction on certain other business fronts.
- **Complaint by Mauritius:** The Mauritius government has complained to India about its inclusion in a list of high-risk countries threatening to complicate close diplomatic and investment ties with the island nation.
- **Basis for inclusion not disclosed:** There is no indication on the basis that has been used to include a country in the high-risk category.
- **Such jurisdiction may be seen with suspicion:** Optically, that may also result in such jurisdiction being looked upon with suspicion by other countries as had been the case with certain jurisdictions, which had been blacklisted in the past by Europe and US.

Government Amends Definition Of Hydrocarbon To Include Shale

Syllabus: Infrastructure: Energy, Ports, Roads, Airports, Railways etc.

In News

- Union Ministry of Petroleum and Natural Gas has amended Petroleum and Natural Gas Rules 1959 to include shale in definition of petroleum.
- The updated definition of petroleum means naturally occurring hydrocarbons, whether in form of natural gas or in liquid, viscous or solid form, or mixture thereof, occurring in association with petroleum or coal or shale but does not include coal, lignite, and helium.
- Prior to this, definition excluded shale and therefore barred companies from exploiting it from fields that are producing conventional oil and gas or coal-bed methane.

Significance

The amendment of definition of petroleum will open up exploration of all hydrocarbons in existing fields which is line with new Hydrocarbon Exploration Licensing Policy (HELP). It will help in enhancing domestic exploration and production of hydrocarbons and increasing India’s energy security and reducing dependency on imports.

What is Shale Gas

Shale gas is natural gas formed from being trapped within shale formations. It is unconventional source of methane, like coal-bed gas (in coal seams) and tight gas (trapped in rock formations). It is colourless, odourless gas, lighter than air. It is cheaper than natural gas, releases 50% less CO2 hence better source for generating electricity. It also provides feedstock for petrochemicals industry, which is turned into fertilizer, plastics and other useful stuff. In India, potential shale gas sites are Cambay, Gondwana, Krishna-Godawari and Cauvery Basins.

Relaxation In Cabotage Law To Benefit Indian Ports

Syllabus: Infrastructure: Energy, Ports, Roads, Airports, Railways etc.

In News

- The Shipping Ministry issued a notification lifting restrictions on foreign registered vessels on transportation of loaded or empty containers between Indian ports. Earlier, it was the prerogative of Indian registered shipping lines that paid taxes and were governed by Indian laws.
- Moreover, it allows foreign flag ships to carry a range of cargo on local routes and the move to scrap the right of first refusal (ROFR) granted to Indian ships to carry PSU cargo.
- Indian ships are by law mandated to hire only Indian nationals as crew. Besides the country’s tonnage tax law stipulates that fleet owners have to train 1.5 cadets for every 10 persons employed on a ship per year spending some Rs. 16 lakh on training each cadet.

Benefits Of Relaxation In Cabotage Law

- **Overall benefits:** Apart from creating a level-playing field, reduction in freight rates and making Indian trade more competitive, the move would allow coastal movement of export, import/ empty containers by foreign vessels leading to healthy competition among shipping lines.
- **India as a transshipment hub:** The Centre’s move to relax cabotage law may be a game changer and transform India’s ports into a major transshipment hub.
- **Cargo growth in India:** Indian ports can now attract cargo originating from or destined to foreign ports leading to cargo growth in India.
- **Improve competitiveness of Indian traders:** This move would also have a positive impact on the competitiveness of the Indian traders and manufacturers by reducing the supply chain lag time and transshipment cost at a foreign port.
- **Address the problem of simultaneous cargo shortage and accumulation at ports:** The relaxation in cabotage law would also address the problem of empty containers getting accumulated at

Cabotage law

- Cabotage is a term of maritime law. It refers to transit of a vessel along the coast of a nation for the purpose of trade from one port to another within the territorial limits of that nation.
- Usually the national law of the host nation regulates this coastal trading.
- The terms coastal trade or coastal trading is more used now instead of cabotage.

some Indian port while other ports facing a shortage of empty containers. As a result, the additional cost of repositioning of these empty containers to deficit port across the Indian coast would be reduced substantially with foreign vessels now being allowed to pick up such containers. The issue of empty containers was an outcome of uneven growth in containerized cargo resulting from the imbalance in exports and import.

Challenges

- **Will dim employment prospects of Indian seafarers:** The relaxation and scraping of the right of first refusal will dim employment and training prospects for Indian seafarers. The lack of employment opportunities has also been hit by a global downturn in the shipping industry since 2008.
- **Will dim training prospects of Indian seafarers:** India is a major supplier of quality manpower to the Indian and global shipping industry. But the relaxation cabotage rule may result into maritime cadets of not be able to complete the mandatory on-board ship training.
- **Affect investment in shipping sector:** Some expert also says that if this benefit is withdrawn the one single reason for companies to flag their vessels in India will cease to exist and no investment will be attracted into Indian shipping. This will lead to a decline of Indian flag ships and consequently impact the employment of several thousand Indian seafarers.
- **Impact on security and rescue operation:** Indian ship owners and seafarers have always come forward in times of crisis in national interests during Iran-Iraq war and the gulf crisis thereby giving a much-needed security angle to the imposition of cabotage. But now the relaxation of cabotage rule may also impact maritime crisis handling.

Airports Economic Regulatory Authority Amendment Bill 2018

Syllabus: Infrastructure: Energy, Ports, Roads, Airports, Railways etc.

In News

- The Exponential growth in the aviation sector has pushed the government to propose an Amendment Bill in 2018.
- The **Airports Economic Regulatory Authority of India Act, 2008** was enacted to provide an independent authority to protect the interests of airports, airlines and passengers and to primarily regulate tariff for aeronautical services rendered at airports. Aeronautical services include navigation, surveillance and supportive communication for air traffic management; services for the landing, housing or parking of an aircraft; ground safety, fuel and handling services and so on.
- Under the Act, the AERA is responsible for determining: (i) the tariff for aeronautical services at different airports every five years, (ii) the development fees of major airports, and (iii) the passengers service fee. It can also call for necessary information to determine tariffs and perform any other tariff-related functions, including amending the tariffs if necessary in the interim periods.

Need For Amendment

- **Increased workload on AERA:** The Airports Economic Regulatory Authority has been under tremendous pressure with an increase in the number of private operators entering the airline/airport sector. Some of the major airports now function under public-private partnerships. Thus, it was felt that if too many airports come under the purview of the Authority, it would be difficult to efficiently determine the tariffs and monitor the service standards of major airports.
- **Private Sector Engagement:** Moreover, for engaging private partners in infrastructure projects, several business models like predetermined tariff or tariff-based bidding have come into place. The

airport project is awarded to the concessionaire who offers the lowest tariff. In this model, the government has found that the market itself determines the charges. The regulator is not required to fix charges after the award of the project. And the 2008 Act does not cover such complexities.

Amendment Proposal

- **Definition Of Major Airport:** The AERA (Amendment) Bill, 2018, proposes to first amend the definition of “major airport” as any airport with passengers in excess of 3.5 million from the existing 1.5 million.
- **Tariff determination by AERA:** The Bill provides that the AERA will not determine: (i) the tariff (ii) tariff structures or (iii) the development fees in certain cases. These cases will include those where such tariff amounts were a part of the bid document on the basis of which the airport operations were awarded. The AERA will be consulted before incorporating such tariffs in the bid document and such tariffs must be notified.

Agriculture

Zero-budget Natural Farming

Syllabus: Major crops and cropping patterns in various parts of the country

In News

- In yet another effort to double farmer’s income by 2022, the government will now pursue states to move on to *zero budget natural farming (ZBNF)* that aims to bring down the cost of farming, thereby significantly enhancing profit margins for farmers.
- According to NITI Aayog, most states have agreed to adopt ZBNF under two existing schemes: **Paramparagat Krishi Yojana** and **Rashtriya Krishi Vikas Yojana**.
- States like **Karnataka, Andhra Pradesh and Himachal Pradesh** have already initiated zero-budget natural farming by involving more than five lakh farmers.

About ZBNF

- Under ZBNF, a set of natural farming methods (a chemical-free method) are used where the cost of growing and harvesting crops is almost zero. Natural farming is **“do nothing farming”** based on no-till, no chemical use in farming along with the dispersal of clay seed balls to propagate plants.
- **Process under ZBNF:** The various process integral to ZBNF are:- seeds treated with cow dung and urine; soil rejuvenated with cow dung, cow urine and other local materials to increase microbes; cover crops, straw and other organic matter to retain soil moisture and build humus and soil aeration for favorable soil conditions. These methods are combined with natural insect management methods when required.
- **Different from organic farming:** In early 2016, **Sikkim** was declared India’s first fully organic State. But organic agriculture often involves addition of large amounts of manure, vermi compost and other materials that are required in bulk and need to be purchased. These turn out to be expensive for most small farm holders.
- The dominant paradigm of chemical-based agriculture has failed and regenerative agriculture is the emerging new science.

Benefits Of Zero Budget Natural Farming

- **Reduced cultivation cost:** The inputs used for seed treatment and other inoculations are locally available in form of cow dung and cow urine. This lowers the cost of inputs for farmers. This also

means farmers need not purchase fertilizers and pesticides in order to ensure healthy growth of crops.

- **Higher yield:** In ZBNF yields of various cash and food crops have been found to be significantly higher when compared with chemical farming.
- **Higher profits:** Profits in most areas under ZBNF were from higher yield and lower inputs.
- **Varied income and nutrient sources:** The planting of multiple crops and border crops on the same field has provided varied income and nutrient sources.
- **Evergreen revolution:** Transition to this method is also required if India want to move from Green Revolution to Evergreen Revolution.
- **Soil degradation:** It protects soil from degradation, helps in retaining soil fertility.
- **Climate change resilient:** Model ZBNF farms are able to withstand drought and flooding, which are big concerns with regard to climate change.
- **Overall benefits:** As a result of these changes, there is reduced use of water and electricity, improved health of farmers, flourishing of local ecosystems and biodiversity and no toxic chemical residues in the environment.

Way forward

Resilient food systems is the need of the day, given the variability of the monsoons due to global warming and declining groundwater in large parts of India. Thus, in such a scenario ZBNF can play a big role.

Operation Greens

Syllabus: Storage, transport and marketing of agricultural produce and issues and related constraints

In News

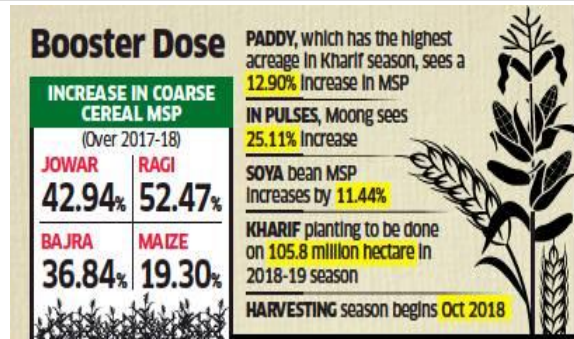
- The government is likely to soon launch a **Rs 500 crore** programme, announced in this year's budget, that aims to end distress sales by farmers of *tomato, onion and potato (TOP)* crops. The Ministry of food processing Industries expects approval from the Standing Finance Committee for the Rs 500-crore Operations Greens scheme.
- **Aim of Operation green:** The programme intends to enhance farmer's income, create integrated supply chains, and reduce price volatility. The focus will be to intervene in *top 10 major producing clusters* for each crop. This will lead to enhancement in the incomes of tomato, onion and potato farmers, capacity building of Farmers Producers Organisations, reduction in post-harvest losses, creation of processing infrastructure, provision of agri-logistics for supply chain and reduction in price volatility of TOP for consumers.
- **Pattern of Assistance:** Financial assistance for production in TOP clusters would be provided under the Mission. 50% of the eligible project cost will be given, subject to a maximum of Rs 50 crore per project. Preference would be given to states that have implemented APMC reforms.
- **Link chain:** Farmer producer organization (FPOs), cooperatives, companies, food processors, logistic operators, service providers, supply chain operators, retail and wholesale chains and central and state government entities could link up with farmers for quality production of crops, post-harvest processing facilities, storage and preservation facility, primary processing, agri-logistics and marketing support.
- **Way forward:** There is a need for factoring in seasonal and regional variation in production, bringing non-traditional area under TOP farming and linking cultivation to primary processing.

MSP For Various Crops Raised

Syllabus: Issues related to minimum support prices

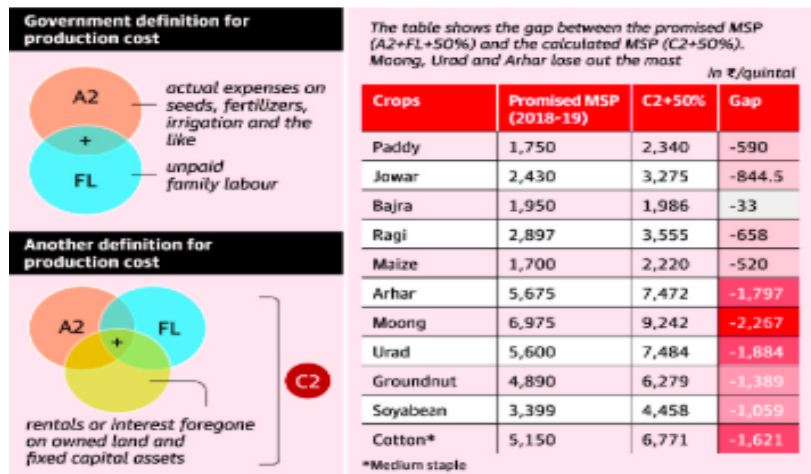
In News

- In keeping with the promise made in this year’s Budget speech, the Union Cabinet has approved a hike in minimum support prices (MSPs) for kharif crops so that they are **50% higher** than the cost of production not including land costs.
- This includes a Rs 200 per quintal increase in the MSP for paddy, which is likely to inflate the food subsidy bill by over Rs 15,000 crore.
- MSPs were also announced for 14 commodities, with major hikes being seen in cereals such as bajra, jowar and ragi as well as cotton.
- MSPs, recommended by the **Commission for agricultural cost and pricing (CACP)** are supposed to act as a floor price for private traders, thereby helping avoid distress sales. They are also designed to serve as a price signal to farmers, who tend to shift to crops that come with higher support prices.



Farmer’s Contention

- **Cost of Cultivation Across States:** The cost of cultivation varies across states, while MSP are based on a weighted all India average. This is another reason why farmers don’t get guaranteed profits.
- **MSP Failed To Cover Cost Of Production:** Federally fixed MSPs for crops have failed to keep pace with input costs or expenses farmers incur towards cultivation. For instance, between 2004–05 and 2014–15, cultivation costs of paddy grew by 11.2% annually in Bihar and 11.9% in West Bengal, while the MSP of paddy increased at the rate of 10.6% per year.
- **MSP calculation does not factor in rental value of land, interest:** MSP, as approved by the Cabinet, is based on **‘A2+FL’** costs that include expenses on farm inputs such as seeds, fertilizers, fuel and irrigation and imputed value of Family Labour. The **Comprehensive Cost (C2)** that includes imputed rent and interest on owned land & capital has not been used for arriving at MSP.
- **Lack of Access to APMCs:** Often farmers of remote areas do not have sufficient access to APMCs [Agricultural Produce Market Committees] and their potential market is local haats where their produce is sold below MSP.
- **Lack of Robust Procurement Infrastructure:** The MSP increases may not help in the absence of a robust procurement infrastructure. High MSPs in such situations only end up fuelling inflationary expectations with hefty gains accruing to intermediaries.
- **Procurement Only From 6% Of The Farmers:** According to the **Shanta Kumar Committee report**, only 6 % of all farmers sell their produce to a procurement agency. Citing 2012-13 NSSO



data it says that while a third of both paddy and wheat produced is procured, only 13.5 per cent of paddy farmers sell their produce to a procurement body.

Other Challenges

- **Make Export Of Rice Unviable:** A 13 % increase in MSP of paddy has raised the fears among the non-basmati rice exporters, who feel that the price rise will make the Indian cereal unviable in the global market and threaten India's position as the largest exporter of rice.
- **Storage Problem:** The steep increase in the MSP may lead to bumper harvest of kharif crops and that may further lead to storage problem in some states.
- **Impact on Water Table:** A sudden spurt in MSPs also introduces other economic distortions. It can influence cropping patterns at a time when there is abundance of paddy in government's granaries. Linked to it is the adverse impact on water tables in some of the most water stressed parts of India.
- **Private trader May Cut Down Purchases:** The new MSPs in cotton, groundnut and maize for instance are way above open market prices. It leads to the private trade cutting down purchases and the likes of NAFED and Cotton Corporation of India not being able to fill the void, thus farmer anger may only grow.
- **High Inflation:** On the economic side, a significant increase in MSP may also stock up inflation trajectory. The impact of these hikes on consumer price inflation is expected to vary between 0.5% and 1% by the end of 2018-19.
- **Increased Fiscal burden:** This move is expected to put an additional burden of an estimated Rs 15,000 crore on account of procurement based on records of procurement in previous years.

Way forward

- MSPs are no longer a potent tool to deal with agrarian challenges and are at best a Band-Aid. A better approach to tackling agrarian woes is through a combination of pro-market reforms and providing direct investment support to farmers in a crop neutral way. **Telangana** is attempting the latter now and other states should follow suit. This will provide for far more impact per rupee invested than wasteful procurement operations. The saving could be used to enhance investment in agricultural infrastructure.
- Thus, The Centre must also shift to **income support measures** (price deficiency payment system) and to this end set up a farmer's income commission. The shift makes pragmatic sense as well, as income support unlike MSP will not run foul of WTO rules.
- The focus must also be on productivity enhancing investment in agriculture such as investment in efficient water management and irrigation, plant breeding and genetics, crop husbandry, market linkages and in breaking the middleman's hold over the farm-to-consumer value chain, replacing it with farmer-led enterprises, whether cooperatives or producer companies, that allow farmers to capture a share of the value added to their produce.

Crisis In Dairy Sector

Syllabus: Economics of animal-rearing.

In News

Over the last year, average procurement price for cow milk has fallen from Rs 24 to Rs 17-20 per litre in states like Maharashtra. While price of buffalo milk has fallen from Rs 42 to Rs 34-36. But on the other hand retail price of toned milk has remained at Rs 42 per litre and full-cream milk at Rs 52.

Reason For The Price Fall

Fall in Global Dairy Prices: The average global price of milk, which was \$5142 per tonne in 2013, has recently collapsed to well below \$2000, resulting in India's exports too plunging to 11500 tonnes in 2017-18. Reduced exports have meant there is an annual surplus of over 1 lakh tonne now, which the domestic market is unable to absorb.

Way Forward

- The feasible solution to the dairy industry's crisis is to find a replacement market for the 1 lakh tonne of milk. This could be either through a programme of commodity aid to deficit countries in South Asia and Africa or boosting domestic consumption by including milk in mid-day meal schemes.
- The Centre should also incentivize exports of Skimmed Milk Powder (SMP) and create a strategic reserve of the powder and also butter to overcome the prevailing low milk price that has arisen due to a supply glut.
- The government could also look at donating dairy commodities to friendly nations as a diplomatic goodwill gesture.

Technology

IIT Madras Unveils Microscope To View Atoms Of A Material

Syllabus: Science and Technology- developments and their applications and effects in everyday life

In News

- The Indian Institute of Technology-Madras launched a remotely operable microscope, claimed to be the world's first of its kind, that would enable precise view of atoms of a material.
- The **Local Electrode Atom Probe (LEAP)** had been developed in a collaborative exercise involving top 8 research institutions in the country, spearheaded by IIT-M.
- Though there were several such devices available across world, LEAP inaugurated at IIT-Madras was first one that can be operated through a special terminal by researchers divided geographically.

About 'Atom Probe tomography (APT)'

- The 'Atom Probe tomography (APT)' technology has existed for over 50 years but the Local Electrode APT came into existence approximately 15 years ago.
- The modern LEAP instrument, by the virtue of having Laser pulsing methods, enables investigation of a wide range of materials from metals, ceramics to semiconductors and even insulators with a very high acquisition rate of 5 Million ions per hour.
- Local Electrode Atom Probe (LEAP) allows the user to extract atoms from materials sequentially and are detected using a Time of Flight Mass spectrometer.
- This facility will be able to provide atomic-scale insights into metallic materials thereby impacting a wide spectrum of industries ranging from steel to automobiles and energy to transportation sector.

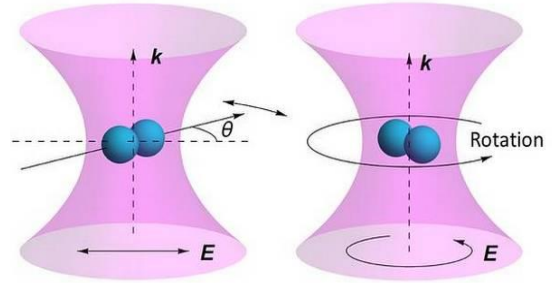
World's Fastest Man-Made Spinning Object

Syllabus: Science and Technology- developments and their applications and effects in everyday life

In News

- Scientists have developed world's fastest rotor, which will help in studying quantum mechanics.

- The rotor can spin at more than 60 billion revolutions per minute, making it world's fastest man-made object.
- To produce fastest rotor, scientists had synthesized nanoscale dumbbell made from silica and had levitated it in high vacuum using laser.
- The laser when is linear, vibrates dumbbell and when it is circular spins dumbbell. Spinning dumbbell functions as rotor, and vibrating dumbbell functions like instrument for measuring tiny forces and torques, known as a torsion balance. The nano dumbbell levitated by optical tweezers in vacuum can vibrate or spin, depending on polarization of incoming laser.
- This device has many applications, including material science. These devices were used to discover gravitational constant and density of Earth, but it is believed that as they become more advanced, they will be able to study things like quantum mechanics and the properties of vacuum.



Genome Valley 2.0

Syllabus: Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-tech etc.

In News

- The Telangana Government has signed a MoU with Singapore-based Surbana Jurong for preparing a roadmap for Genome Valley 2.0, an upgraded version of life sciences and biotechnology.
- The Genome Valley cluster has emerged as the largest life sciences destination in Asia, being home to over 200 companies employing 10,000 people.
- The current initiative will introduce a world class knowledge cluster and lay a master plan to transform the ecosystem into a smart satellite town of Hyderabad. Moreover, the clusters proposed footprint expansion will enable more global companies to establish and expand their operations.
- Genome Valley 2.0 is a vision to upgrade the cluster into a world-class knowledge led integrated corridor in a self-sufficient life sciences ecosystem. The cluster, currently an industrial hub, is being envisioned to transform into an industry led knowledge based ecosystem to become a driver for local economic development.

Newest Phase In Earth's History

Syllabus: Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-tech etc.

In News

- Scientists have created a new phase in Earth's geological history and named it **Meghalayan**, after a stalagmite from a cave in the Indian state of Meghalaya.
- The stalagmite helped define climatic events 4,200 years ago, marking the beginning of the phase that continues till today.
- The Meghalayan Age began with a mega global



drought that devastated ancient agricultural civilizations from Egypt to China. It is part of a longer period known as the **Holocene Epoch**, which reflects everything that has happened over the past 11,700 years.

- This discovery was done by the International Commission on Stratigraphy of the **International Union of Geological Sciences (IUGS)**
- Two other ages — the Middle Holocene Northgrippian Age and the Early Holocene Greenlandian Age — with beginnings defined at climatic events that happened about 8,300 years and 11,700 years ago, respectively, were also approved by the **International Commission on Stratigraphy**, which is responsible for standardizing the geologic time scale.

Main Features Of This Age

- The Meghalayan Age is unique because it is the first interval in Earth's geological history that coincided with a major cultural event, as agricultural societies struggled to recover from the shift in climate.
- The droughts over a 200-year period resulted in human migrations in Egypt, Greece, Syria, Palestine, Mesopotamia, the Indus valley and the Yangtze River valley.
- The change in global climate was likely triggered by shifts in ocean and atmospheric circulation.

Distinct periods of Earth's geology

Geologists divided the 4.6-billion-year existence of Earth into distinct periods. Each period corresponds to significant events such as the break-up of continents, shifts in climate, and the emergence of particular types of animals and plant life. These units of the geologic time scale are based on sedimentary strata that have accumulated over time and contain within them sediment types, fossils and chemical isotopes that record the passage of time as well as the physical and biological events that produced them.

About International Union of Geological Sciences (IUGS)

- The IUGS is an international non-governmental organization devoted to international cooperation in the field of geology.
- It is a Scientific Union member of the International Council for Science (ICSU), which it recognizes as the coordinating body for the international organization of science.
- IUGS promotes and encourages the study of geological problems, especially those of worldwide significance, and supports and facilitates international and interdisciplinary cooperation in the earth sciences.
- IUGS is a joint partner with UNESCO for the International Geosciences Programme (IGCP) and they also participate in the Global Network of National Geoparks (GGN).

Lunar Eclipse

Syllabus: Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-tech etc.

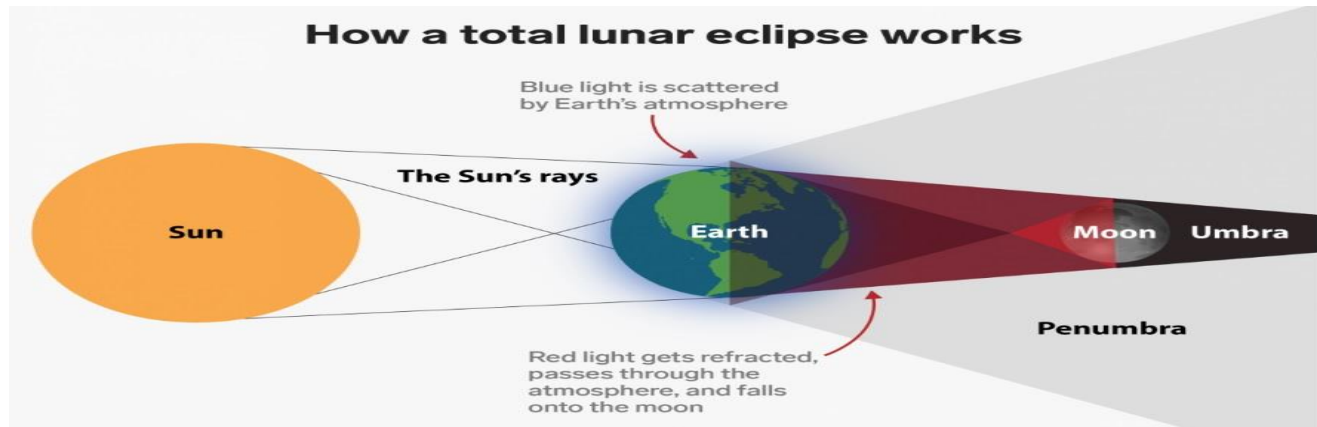
In News

- Union Ministry of Earth Sciences has announced that Century's (2001 AD to 2100 AD) longest total lunar eclipse of 1 hour 43 minutes will occur on July 27-28, 2018.
- The entire eclipse will be visible from all parts of India. It will also be visible in region covering Asia, Australia, and Russia – except northern part, Europe, Africa, east of South America and Antarctica. The partial eclipse of Moon will begin on July 27, 2018.
- Later, Moon will be gradually covered by Earth's shadow and totality phase will begin on July 28. Then the Moon will start to gradually come out of Earth's shadow and partial eclipse will end on July 28, 2018.

- In this particular eclipse, Moon will be passing through central part of Earth's umbral shadow. During this time, Moon is located at apogee (i.e. at farthest from the Earth) in its orbit and will be moving at slower speed in its orbit. During this transition phase, it will take longer time for Moon and greater distance of Earth's umbral shadow to travel, making it longest duration of total eclipse of this century.
- Such long duration of total lunar eclipses earlier had occurred on July 16, 2000 for totality duration of 1 hour 46 minutes and on June 15, 2011 for totality duration of 1 hour 40 minutes.

What is a Total Lunar Eclipse?

A total lunar eclipse is a celestial event that occurs when the Earth comes in between the Sun and the Moon, completely immersing the Moon in the umbra of the Earth's shadow.



What is a Blood Moon?

A lunar eclipse is also called blood moon because the moon when eclipsed by the Earth takes on a reddish hue as the Sunlight falling on it gets filtered by the atmosphere of the Earth.

Google Unveils AI Chips

Syllabus: Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-tech etc.

In News

- Google is going beyond building artificial intelligence (AI) chips for its data centres.
- At the Google Cloud Next '18 conference in San Francisco, the Internet giant announced two new products aimed at helping customers develop and deploy intelligent connected devices at scale.
- The first one is Edge TPU and other one is Cloud IoT Edge
- **Edge TPU:** The new hardware chip is purpose-built application-specific integrated circuit (ASIC) designed to run AI at the edge. It is so small that four such chips can fit on US penny. It will bring brain to devices at extremely low cost and high power efficiency without compromising performance. It delivers high performance in small physical and power footprint, enabling deployment of high-accuracy AI at the edge
- **Cloud IoT Edge:** It is a software stack that extends Google Cloud's powerful AI capability to gateways and connected devices. One of companies using this new technology is LG CNS, a subsidiary of LG.

AI (Artificial Intelligence)

- AI (artificial intelligence) is the simulation of human intelligence processes by machines, especially computer systems. These processes include learning (the acquisition of information and rules for

using the information), reasoning (using the rules to reach approximate or definite conclusions) and self-correction.

- Particular applications of AI include expert systems, speech recognition and machine vision.
- Why is artificial intelligence important?
 - **AI automates repetitive learning and discovery through data.** But AI is different from hardware-driven, robotic automation. Instead of automating manual tasks, AI performs frequent, high-volume, computerized tasks reliably and without fatigue.
 - **AI adds intelligence** to existing products.
 - **AI adapts through progressive learning algorithms** to let the data do the programming. AI finds structure and regularities in data so that the algorithm acquires a skill: The algorithm becomes a classifier or a predictor. So, just as the algorithm can teach itself how to play chess, it can teach itself what product to recommend next online
 - **AI analyzes more and deeper data** using neural networks that have many hidden layers. Building a fraud detection system with five hidden layers was almost impossible a few years ago. All that has changed with incredible computer power and big data. Lots of data is needed to train deep learning models because they learn directly from the data.

Environment and Biodiversity

Uttarakhand HC Declares Animals To Be ‘Legal Persons’

In News

In a unique ruling, the Uttarakhand High Court has accorded the status of “legal person or entity” to animals in the State, saying “they have a distinct persona with corresponding rights, duties and liabilities of a living person.” The HC bestowed the unique status animal kingdom while issuing a series of directions to prevent cruelty against animals.

Key Highlights

- The entire animal kingdom, including avian and aquatic ones, are declared as legal entities having a distinct persona with corresponding rights, duties and liabilities of a living person.
- The court also declared **all Uttarakhand natives the guardians of animals** and endowed them with the duty to ensure their welfare and protection.
- All the citizens throughout the State of Uttarakhand have been declared *persons in loco parentis* as the human face for the welfare/protection of animals.

In common law jurisprudence, there are two types of persons — natural persons or human beings and artificial person, which are also known as juristic persons, juridical entity or a legal person other than a natural person.

Legal or juristic persons are created by law and recognised as a legal entity, having distinct identity, legal personality and besides duties and rights. They include private business firm or entity, non-governmental or government organisations, trusts and societies, besides others.

Other Directions By The Court

- The Division Bench also gave directions ranging from the amount of load allowed to be pulled by various animals in accordance with the kind of carriage being pulled to the amount of riders per carriage.
- Further banning the use of spike or other sharp tackle or equipment on the animal, the court also directed the State government to ensure that if temperature exceeds 37°C or drops below 5°C, no person be permitted to keep in harness any animal used for the purpose of drawing vehicles.

- The court also went into the aspect of animal safety, highlighting the need for fluorescent reflectors in carriages and animals, certificates of unladen weight of vehicles, compulsory shelter of suitable size for horses, bullocks and stray cattle and a direction to the veterinary doctors of Uttarakhand to treat any stray animals brought to them or by visiting them.
- The court said, as the carts driven by animals have no mechanical devices, animal-drawn carriages have to be given Right of Way over other vehicles.

Four Species Added To Recovery Programme By Wildlife Board

In News

- The National Board for Wildlife (NBWL) recently added four species- **the Northern River Terrapin, Clouded Leopard, Arabian Sea Humpback Whale, Red Panda**- to a Recovery Programme for Critically Endangered Species on the recommendation of a Standing Committee.
- The programme is one of the three components of the centrally funded scheme, **Integrated Development of Wildlife Habitats (IDWH)**. Started in 2008-09, IDWH is meant for providing support to protected areas (national parks, wildlife sanctuaries, conservation reserves and community reserves except tiger reserves), protection of wildlife outside protected areas and recovery programmes for saving critically endangered species and habitats.
- The programme, which already covers 17 species across the country, includes legal sanction against hunting, financial assistance to states to protect the species, creation of sanctuaries, and even the CBI's assistance in prosecuting the poachers. These species include: *the Snow Leopard, Bustard (including Floricans), Dolphin, Hangul, Nilgiri Tahr, Marine Turtles, Dugongs, Edible Nest Swiftlet, Asian Wild Buffalo, Nicobar Megapode, Manipur Brow-antlered Deer, Vultures, Malabar Civet, Indian Rhinoceros, Asiatic Lion, Swamp Deer and Jerdon's Courser.*

Difficulties In Recovery Of Critically Endangered Species

The recovery plan for the Great Indian Bustard and Wild Buffalo (Central India Population) was discussed two years ago and plan was also sanctioned with financial allocation but it is yet to be grounded. Now, we have very less chance of recovery of these species. The planning should be done before a species reaches to a critical stage.

Wild Buffalo Population Increased In Chhattisgarh

- Once found in abundance across northeast India, northern and central India, the Wild Buffalo now has its last bastions in some pockets in northeast India and Chhattisgarh.
- According to a survey by the Wildlife Trust of India (WTI), not more than 50 individuals of the Wild Buffalo remain in three sub-populations in Indravati National Park, Pamed and Udanti Wildlife Sanctuaries in Chhattisgarh.
- According to the WTI, the number of wild buffalo in Udanti-Sitanadi Tiger Reserve, Chhattisgarh increased from 7 to 11 under the Central India Wild Buffalo Recovery Project, a joint venture between the state forest department and WTI.
- Under the International Union for Conservation of Species (IUCN), Critically Endangered Species are those facing an extremely high risk of extinction in the wild.

About The Species

- **Norther River Terrapin**, which is a species of riverine turtle found in the rivers that flow in Eastern India, is hunted for its meat and carapace. It is a native of Bangladesh, Cambodia, India, Indonesia and Malaysia.

- **Clouded Leopard**, found in the Himalayan foothills, is threatened due to habitat loss, poaching for its skin and is also as a live pet trade. “The IUCN has categorized the species as ‘Vulnerable’ and indicates a ‘declining trend in its population, as per its Red List assessment of 2016.
- **Arabian Sea Humpback Whale** is found in all of major oceans but ship strikes, unforgiving fishing gear and seismic explorations pose grave threat to it. International studies on the whales have indicated that the species migrates from the Oman coast through the Arabian sea, along the Indian coasts till the Sri Lankan coast.
- **Red Panda** is closely associated with montane forests with dense bamboo-thicket. It is found in Sikkim, West Bengal and Arunachal Pradesh. It is poached for its meat, and for use in medicines, and as a pet. The IUCN has categorized Red Panda as ‘Endangered’ and as per their Red List assessment of 2015, the population of the species is ‘decreasing.

National Board for Wild Life is a “Statutory Organization” constituted under the Wildlife Protection Act, 1972. The National Board for Wildlife is chaired by India’s Prime Minister and its vice chairman is Minister of Environment. Further, the board is mammoth body with 47-members including Parliament Members, NGOs, eminent conservationists, ecologists and environmentalists, Government secretaries of various departments, Chief of the Army Staff, Director General of Forests, tourism etc.

Theoretically, the board is “advisory” in nature and advises the Central Government on framing policies and measures for conservation of wildlife in the country. However, it is a very important body because it serves as apex body to review all wildlife-related matters and approve projects in and around national parks and sanctuaries.

Wildlife Trust of India (WTI)

It is a leading Indian nature conservation organisation committed to the service of nature. Its mission is to conserve wildlife and its habitat and to work for the welfare of individual wild animals, in partnership with communities and governments.

WTI was formed in November 1998 in response to the rapidly deteriorating condition of wildlife in India. WTI is a registered charity in India (under Section 12A of the Income Tax Act, 1961).

Why Fish Are Losing Their Sense Of Smell

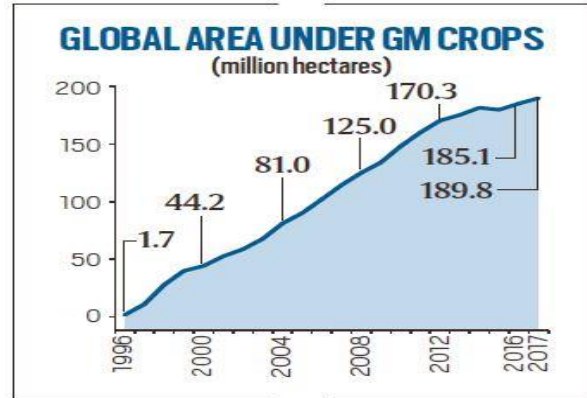
- According to recent study, fish are losing their sense of smell as rising carbon emissions is turning water they live more acidic. CO₂ is absorbed by seawater forming carbonic acid. Due of ocean acidification, fish will lose some of their smelling sense, making it more difficult to survive.
- Fish use their sense of smell for essential things such finding food and safe parts of ocean to reproduce, recognizing each other and most importantly sniffing out danger so they can avoid predators. Since 1800’s ocean CO₂ levels have risen by 43%. It is predicted to be more than double current level by the end of the century.

India’s Genetically Modified Crop Area Fifth Largest In World

In News

- India has the **world’s fifth largest cultivated area under genetically modified (GM) crops**, at 11.4 million hectares (mha) in 2017.

- But unlike other big growers, its entire GM crop area is under a single crop — cotton — incorporating genes from the **Bacillus thuringiensis** or **Bt soil bacterium** coding for resistance against **heliobius bollworm insect pests**.
- The report by the global crop biotech advocacy organisation has estimated the highest share in the world’s total 189.8 mh GM crop area for 2017 to be of soyabean (94.1 mh), followed by maize (59.7 mh), cotton (24.1 mh), canola (10.2 mh), alfalfa (1.2 mh) and sugar-beet (0.50 mh). The GM traits in these crops — through introduction of alien genes into host plants — included both insect-resistance and tolerance for application of glyphosate herbicide.
- **In India, the GM crops that are under regulatory consideration — apart from the already commercialised Bt/insect-resistant cotton — include glyphosate-tolerant cotton and biotech hybrid mustard.** Both the Bollgard II-Roundup Ready Flex (BGII-RRF) cotton event of Monsanto (incorporating Bt as well as glyphosate-tolerant genes) and transgenic mustard developed by Delhi University’s Centre for Genetic Manipulation of Crop Plants (harbouring three alien genes that enable higher yields through hybridisation) have undergone all the mandated bio-safety research and open field trials. Their commercial release has, however, been stuck due to opposition from environmental activists.



US	75.0
BRAZIL	50.2
ARGENTINA	23.6
CANADA	13.1
INDIA	11.4
PARAGUAY	3.0
PAKISTAN	3.0
CHINA	2.8
SOUTH AFRICA	2.7
BOLIVIA	1.3
URUGUAY	1.1
TOTAL*	189.8

**Includes other countries.*

Climate Change Threatens The Nilgiri Tahr

In News

- The antics of the **sure-footed Nilgiri tahr** are a treat to watch, but these endangered wild mountain goats – **found only in high altitudes in India’s Western Ghats** — could be losing their footing with increasing climate change.
- Even under moderate scenarios of future climate change, tahrs could lose approximately 60% of their habitats from the 2030s on, predict scientists in their study in Ecological Engineering, an international journal that emphasises the need for ecological restoration.
- Scientists tried to predict how climate change can affect tahr habitat in the Ghats by mapping tahr distribution (using existing information and field surveys) and then using climatic factors of these locations to see where tahrs would be able to survive, given current and future climate change scenarios.
- They found that **tahr strongholds such as Chinnar, Eravikulam and Parambikulam in Kerala** will still be stable habitats under different climate change scenarios.
- **However, other regions, including parts of Tamil Nadu’s Kalakkad Mundanthurai Tiger Reserve and the wildlife sanctuaries of Peppara, Neyyar, Schenduruny and Srivilliputhur,** could experience severe habitat loss in future; in total, approx. 60% of tahr habitat could be lost

across the Ghats from 2030s onwards. There are only around 2,500 tahr left in the wild and their population.

- The study's findings demand a comprehensive species management plan. Scientists, member of the National Board for Wildlife (who also co-authored the latest report on Kerala's tahr populations), had drafted a tahr recovery plan in 2010. According to the report, only the Eravikulam and Mukurthi National Parks stress on tahr-centered conservation activities in their management plans. Though the recovery plan identified "conservation units" and made site-specific recommendations, how much of it has been implemented is unclear.
- It is important that we focus our efforts on these conservation units and monitor isolated populations.

National Bamboo Mission

In News

- In October 2006, the Government of India (GOI) had launched the National Bamboo Mission (NBM) on the basis of the National Mission on Bamboo Technology and Trade Development Report, 2003.
- The NBM's key objective was to address issues relating to the development of the bamboo industry in the country, provide a new impetus and direction and enable the realisation of India's considerable potential in bamboo production.
- Multi-disciplinary and multi-dimensional in its approach, major interventions planned under it were to focus on research and development, **plantation on forest and non-forest lands through Joint Forest Management Committees (JFMCs)** or Village Development Committee (VDCs) and to ensure the supply of quality planting materials by establishing centralised and kisan/mahila nurseries.
- Of course, there are some drawbacks too. The plantation on non-forest land involving farmers and private land owners has not taken full momentum. Transfer of technology through training and demonstrations form an integral part of the NBM. But the quality of the training needs to be further upgraded to improve the practical knowledge and skills of the stakeholders.

Analysis

- Bamboo is a versatile crop. It can be used in 1,500 different ways including as food, a substitute for wood, building and construction material, for handicrafts and paper. **Around 80 per cent of bamboo forests lie in Asia with India, China and Myanmar having 19.8 million hectares of bamboo.**
- **India is the world's second largest cultivator of bamboo after China, with 136 species and 23 genera spread over 13.96 million hectares.** According to the Union Ministry of Agriculture and Farmer Welfare, India's annual bamboo production is estimated at 3.23 million tonnes. However, despite all this, the country's share in the global bamboo trade and commerce is only 4 per cent.
- **In April 2018, a restructured NBM was approved by the GOI with an investment of Rs 1290 crore in the coming 2 years.** The restructured NBM will aim to support the development of the entire value chain of the bamboo sector starting from planting material, plantation, creation of facilities for collection, aggregation, processing marketing, micro, small & medium enterprises, skill development and brand building initiative in a cluster approach mode.
- This will contribute to doubling of farmers' income and also generate more employment opportunities for skilled and unskilled workers, especially youths in rural areas. **To facilitate the**

benefit flow to the farmers, bamboo outside forest areas has been excluded from the definition of tree by amending Section 2 (7) of the Indian Forest Act, 1927 by the GOI in November 2017.

- Bamboo has tremendous untapped potential for transforming India's rural economy. There is vast scope for expanding bamboo in areas outside forests because: a) its management is easier in these lands than in natural forests and b) due to close to user agencies, economic harvesting is possible.
- Land degradation is a major problem confronting India. According to the **State of India's Environment 2017**, nearly 30 per cent of India's land is degraded. With its unique ability to stitch and repair damaged soils, bamboo is ideal for rehabilitating degraded soil. The short fall in bamboo plantation would have adverse impact in reclaiming degraded land as well as the Greening India programme.
- It is perceived that the emphasis of NBM has, by and large, been on propagation and cultivation of bamboo, with limited efforts on processing, product development and value addition. This has caused weak linkages between farmers and the industry. There is a need to develop an integrated bamboo industry in the country. It is hoped that the restructured NBM would focus on the development of a complete value chain of the bamboo sector to link growers with consumers.

Way forward

- To arrest the pace of land degradation in the country, a national programme of intensive bamboo plantation involving all stake-holders needs to be undertaken beyond 2019-20. **The National Housing Scheme (PMAY) should utilise bamboo as construction material.** Though bamboo has been used in various pioneering structural applications in the past, it is still seen as a "poor man's material".
- Developing bamboo as a load-bearing structural element would pave the way for its high value application in construction, which can make bamboo cultivation an economically viable way of greening the vast wastelands. Edible bamboo has a huge demand in East Asian cuisines and medicine. Bamboo grown in the Northeast (which is 66 per cent of the growing bamboo stock in India) can be exported to East Asian countries like Japan and Taiwan for competitive prices with the GOI's support.

Ganga Vriksharopan Abhiyan

In News

- National Mission for Clean Ganga (NMCG) is running "Ganga Vriksharopan Abhiyan" in five main stem Ganga basin states – Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal.
- The drive was launched on the 9th of July, and the week upto 15th July was observed as '**ShubharambhSaptah**.'
- State Forest Departments of these states have been made the nodal agencies for the smooth and effective execution of the campaign. The participation from Nehru Yuva Kendra Sangathan (NYKS), Ganga Vichar Manch (GVM), NGOs and educational institutions has been encouraging.
- The involvement of District Ganga Committees, of which District Magistrates are the Chairpersons, has given strength to the programme. Divisional Forest Officers (DFOs) have been designated as the district level Nodal Officers and Chief Conservator of Forest (CCF) at the State level for organizing the events.

- The campaign, which has been initiated as part of the Forest Interventions in Ganga (FIG) component of Namami Gange programme, is significant as it aims to bring greater awareness among people and other stakeholders regarding the importance of afforestation for the task of Ganga Rejuvenation.
- The implementation plan aims to contribute towards the Clean Ganga Mission, particularly Aviral Dhara and Nirmal Dhara besides maintenance of the ecological and geological integrities, by improving the base flow and filtration of the ground water pollution.

Why Is Afforestation In Ganga Basin Important

Forests cause higher rainfall and raise water level in the rivers. Through their foliage, craggy bark and abundant leaf litter, trees and forests decrease the speed of water dispersion and favour slow but greater infiltration of rainwater to ensure smooth functioning of the hydrological cycle. Moreover, presence of healthy forest cover along the river provides self-cleaning ability to the river. Thus, afforestation and augmentation of existing forest along the Ganga holds the promise to strengthen the riparian ecosystem thereby contributing to the overarching cause of Ganga Rejuvenation.

System of Air Quality and Weather Forecasting (SAFAR)

In News

- A state-of-the-art Air Quality and Weather Forecast System– **SAFAR (System of Air Quality and Weather Forecasting)** first of its kind in the country has been installed.
- The system was developed indigenously in record time by Indian Institute of Tropical Meteorology, Pune and operationalized by India Meteorological Department (IMD). Based on the Air Quality Index on a particular day, Health advisory and related precaution will be notified to prepare citizens well in advance.
- In addition to monitoring and forecasting of regular air quality and weather parameters, the **Chandni Chowk air quality station** will also measure sun's UV-Index and will provide measurement of online automatic ultrafine particles PM1 and Mercury, both of which have direct relevance to human health.
- The system will be an **integral part of India's first Air Quality Early Warning System** operational in Delhi and will strengthen the existing air quality network of SAFAR, Central Pollution Control Board and Delhi Pollution Control Committee.
- **SAFAR** will accelerate public awareness and preparedness of air pollution and weather extremes. It will also lead to better understanding of linkages among emissions, weather, pollution and climate. It will monitor all weather parameters like temperature, rainfall, humidity, wind speed and wind direction. In addition to regular air quality parameters like PM2.5, PM10, Sulfur Dioxide, Ozone, Nitrogen Oxides, Carbon Monoxide, the system will also monitor the existence of Benzene, Toluene and Xylene.

- **The National Air Quality Index (AQI)** was launched in New Delhi on 17 September 2014 under the Swachh Bharat Abhiyan.
- There are six AQI categories, namely Good, Satisfactory, Moderately polluted, Poor, Very Poor, and Severe.
- The proposed AQI will consider eight pollutants (PM₁₀, PM_{2.5}, NO₂, SO₂, CO, O₃, NH₃, and Pb) for which short-term (up to 24-hourly averaging period) National Ambient Air Quality Standards are prescribed. The Central Pollution Control Board along with State Pollution Control Boards has been operating National Air Monitoring Program (NAMP) covering 240 cities of the country

having more than 342 monitoring stations.

India To Expand Polar Research To Arctic As Well

In News

- Three decades after its first mission to Antarctica, the government is refocusing priorities to the other pole — the Arctic — because of opportunities and challenges posed by climate change.
- This month, it has **renamed the National Centre for Antarctic and Ocean Research (NCAOR)** — since 1998, charged with conducting expeditions to India’s base stations to the continent — as the **National Centre for Polar and Ocean Research**.
- India only has one Arctic observation station near Norway. It is also in talks with Canada and Russia, key countries with presence in the Arctic circle, to establish new observation systems.
- Along with the Arctic, India’s earth sciences community also views the Himalayas as a “third pole” because of the large quantities of snow and ice it holds, and proposes to increase research spends towards understanding the impact of climate change in the Himalayas.
- It has already established a high-altitude research station in the Himalayas, called **HIMANSH, at Spiti, Himachal Pradesh**. While annual missions to maintain India’s three bases in Antarctica will continue, the new priorities mean that there will be more expeditions and research focus on the other poles
- Climate change was a decisive factor in India re-thinking priorities. Sea ice at the Arctic has been melting rapidly — the fastest in this century. That means several spots, rich in hydrocarbon reserves, will be more accessible through the year via alternative shipping routes.
- **India is already an observer at the Arctic Council** — a forum of countries that decides on managing the region’s resources and popular livelihood and, in 2015, set up an underground observatory, called IndARC, at the Kongsfjorden fjord, half way between Norway and the North Pole.
- A big worry for India is the impact of melting sea ice on the monsoon. Over the years, scientists across the world are reporting that the rapid ice-melt in the Arctic is leading to large quantities of fresh water into the seas around the poles. This impedes the release of heat from the water and directs warm water into the seas around India, the theory goes, and eventually weakens the movement of the monsoon breeze into India.

In 1996, the **Ottawa Declaration** formally **established the Arctic Council as a high-level intergovernmental forum** to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities and other Arctic inhabitants on common Arctic issues; in particular, issues of sustainable development and environmental protection in the Arctic.

Arctic Council Member States are **Canada, the Kingdom of Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, Russian Federation, Sweden, and the United States of America**.

Security

Committee To Check Mob Lynching

Syllabus: Role of media and social networking sites in internal security challenges

In News

- In order to formulate appropriate measures to address the situation of mob lynchings, the government has set up a high-level committee chaired by the **Union Home Secretary Rajiv Gauba** to deliberate in the matter and make recommendations.
- The country is witnessing a **growing number of mob lynching incidents** in several areas, stemming from fake social media rumours, suspicions of **child lifting** and **cow vigilantism**.
- Such vigilantism, be it for whatever purpose or borne out of whatever cause, has the effect of **undermining the legal and formal institutions of the State** and altering the constitutional order.

Supreme Court Directives On Mob Violence

- The Supreme Court condemned the recent spate of lynchings as “**horrendous acts of mobocracy**” and asked the Parliament to **make lynching a separate offence** and enact a separate law to deal with such cases. The court is of the opinion that a special law in this field would instil a sense of fear for law amongst the people who involve themselves in such kinds of activities.
- The apex court also made the Centre and the state governments accountable for mob violence and lynching, and asked them to take steps to **curb and stop dissemination of irresponsible and explosive messages and videos** on social media platforms which incite such incidents.
- The State Governments have been directed to **identify districts**, sub-divisions and/or villages where instances of lynching and mob violence have been reported in the recent past, say, in the last five years.
- The State Governments shall designate, a senior police officer, not below the rank of Superintendent of Police, as **Nodal Officer** in each district for taking measures to prevent incidents of mob violence and lynching.
- The Central and the State Governments should **broadcast on radio and television** and other media platforms including the official websites of the Home Department and Police of the States that lynching and mob violence of any kind shall invite serious consequence under the law.
- The police shall cause to **register FIR under Section 153A of IPC** and/or other relevant provisions of law against persons who disseminate irresponsible and explosive messages and videos having content which is likely to incite mob violence and lynching of any kind.
- The State Governments will have to prepare a **lynching/mob violence victim compensation scheme** in the light of the provisions of **Section 357A of CrPC** within one month from the date of the judgment.
- The cases of lynching and mob violence shall be specifically **tried by designated court/Fast Track Courts** earmarked for that purpose in each district. Such courts shall hold trial of the case on a day to day basis. The trial shall preferably be **concluded within six months** from the date of taking cognizance.
- To set a stern example in cases of mob violence and lynching, upon conviction of the accused, the trial court must ordinarily **award maximum sentence** as provided for various offences under the provisions of the IPC.
- The victim or the next of kin of the deceased in cases of mob violence and lynching shall **receive free legal aid** if he or she so chooses and engage any advocate of his/her choice from amongst those enrolled in the legal aid panel under the Legal Legal Services Authorities Act, 1987.

- Wherever it is found that a police officer or an officer of the district administration has failed to comply with the aforesaid directions in order to prevent and/or investigate and/or facilitate expeditious trial of any crime of mob violence and lynching, the same shall be considered as an act of deliberate negligence and/or misconduct for which appropriate action must be taken against him/her and not limited to departmental action under the service rules. The departmental action shall be taken to its logical conclusion preferably within six months.

Conclusion

Growing mob vigilantism and extrajudicial attempts under the guise of protection of the law have to be nipped in the bud lest it would lead to **rise of anarchy and lawlessness** which would plague and corrode the nation like an epidemic. At the same time, it is important to highlight the importance of **plurality and tolerance** as the building blocks of a truly free and democratic society and the need for preserving the same.

National Information Security Policy and Guidelines (NISPG)

Syllabus: Basis of Cyber security

In News

- Worried about sensitive information making its way into the Internet, the Home Ministry is upgrading policy to secure government data and control access to it.
- In this regard, the ministry has directed that the National Information Security Policy and Guidelines (NISPG) be upgraded and updated for the government sector.

About NISPG

- NISPG has been developed by Ministry of Home Affairs to help protect the classified information possessed by ministries and departments.
- It highlights baseline information, security policy, concepts and best practices which ministries and departments should implement to protect their classified information.
- These practices will help establish minimum security processes and controls across govt. departments.
- Guidance to organisations to prioritise and focus attention and efforts in classification of information and securing such classified information.
- It does not restrict organizations from adopting additional stringent practices over and above these guidelines.

Background

- Up till 2013, cybersecurity fell under the purview of the Home Ministry. However, later it was shifted to the National Security Council Secretariat (NSCS).
- While National Technical Research Organisation (NTRO) handled the critical infrastructure, its non-critical counterpart came under the Ministry of Electronics and Information Technology.
- The upcoming policy will also take care of the hardware that needs to be upgraded to tackle security issues. For example, the physical security of the device is at stake when its components turn obsolete or when its hard disk is not destroyed prior to the device being discarded. Sensitive information can easily be stolen in such cases.

National Cyber Security Policy 2013

- The National Cyber Security Policy 2013 was released with an aim to monitor and protect

information and strengthen defences from cyber attacks.

- It aims at protection of information infrastructure in cyberspace, reduce vulnerabilities, build capabilities to prevent and respond to cyber threats and minimize damage from cyber incidents through a combination of institutional structures, people, process, technology and cooperation.
- The objective of this policy in broad terms is to create a secure cyberspace ecosystem and strengthen the regulatory framework.
- A National and sectoral 24X7 mechanism has been envisaged to deal with cyber threats through National Critical Information Infrastructure Protection Centre (NCIIPC).
- Computer Emergency Response Team (CERT-In) has been designated to act as a nodal agency for coordination of crisis management efforts.
- CERT-In will also act as umbrella organization for coordination actions and operationalization of sectoral CERTs.
- The policy calls for effective public and private partnership and collaborative engagements through technical and operational cooperation.
- Another strategy which has been emphasized is the promotion of research and development in cyber security.
- The policy also calls for developing human resource through education and training programmes, establishing cyber security training infrastructure through public private partnership and to establish institutional mechanisms for capacity building for law enforcement agencies. Creating a workforce of 500,000 professionals trained in cyber security in the next 5 years is also envisaged in the policy through skill development and training.
- The policy document aims at encouraging all organizations whether public or private to designate a person to serve as Chief Information Security Officer (CISO) who will be responsible for cyber security initiatives.

Centre To Enact Law Against Fugitives

Syllabus: Money Laundering and Its Prevention

In News

- Parliament has passed the Fugitive Economic Offenders Bill, 2018, which proposes the confiscation of assets of those who flee the country to evade prosecution or refuse to return in cases involving more than 100 crore.
- The proposed law assumes significance in view of the reports of major bank frauds in the past few years.

Provisions Of The Bill

- **Definition:** The draft bill defines a fugitive economic offender as any individual against whom an arrest warrant has been issued and who has either left the country or refuses to come back to face prosecution.
- **Financial criteria:** The Fugitive Economic Offenders Bill, 2018 will cover all offences where the sums involved are at least 100 crore.
- **Offences covered:** It covers wide range of offences, including wilful loan defaults, cheating and forgery,

HEAT ON ECONOMIC ABSCONDERS

■ **Bill name:** Fugitive Economic Offenders Bill

■ **Purpose:** Catch alleged absconders. Nirav Modi, his uncle Mehul Choksi have been charged of defrauding PNB and leaving the country. Also Vijay Mallya

■ **What will govt do:** Try to put bill before Parliament as early as second part of budget session starting next month



Bill highlights

- ED to start proceedings in special court by first issuing notice to 'fugitive economic offender'
- If offender appears in six weeks, notice will be terminated
- Prosecution starts if he chooses to stay away from country and sends counsel

forged or fraudulent document of electronic records, duty evasion, non-repayment of deposits and others.

- **Special courts:** The bill also makes a provision of setting up a special court, under the Prevention of Money laundering Act, that could declare a person as a fugitive economic offender.
- **Application by FIU:** The Bill also proposed to allow the Financial Intelligence Unit (FIU) to file an application for declaration of a fugitive economic offender for confiscation of their assets.
- **Appointment of administrator:** Further provision has been made for the appointment of an administrator to dispose of the property to satisfy creditor's demands.
- **Disposal of property:** The bill has provision for settling dues of creditors by disposing properties of defaulters in cases involving over 100 crore.
- **ED tasked with job:** As proposed, the Enforcement Directorate will be empowered under the Prevention of Money Laundering Act (PMLA) to initiate the proceedings.
- **Application:** The bill will be applicable to various financial and allied offences as defined under the Indian Penal Code, Prevention of Corruption Act, SEBI Act, Customs Act, Companies Act, Limited Liability Partnership Act and the Insolvency and Bankruptcy Code.
- **Other provisions:** Under the Law the offender will be disentitled from bringing forward or defending any civil claim. It will also prevent the offender, if he returns to India from reclaiming any property.
- All necessary constitutional safeguards in terms of providing hearing to the person through counsel, allowing him time to file a reply, serving notice of summons to him, whether in India or abroad and appeal to the High Court have been provided for.

Benefits

- **Improve financial health of banks:** This will also help banks and other financial institutions to achieve higher recovery from financial defaults committed by such fugitive economic offenders, improving the financial health of such institutions.
- **Deter future loan defaulters:** A new bill on tackling financial fraud should deter future loan defaulters from fleeing India.
- **Higher chance of success in Extradition requests:** It will also strengthen India's efforts to score higher on extradition requests that have often failed to bring home the truants.
- **Umbrella legislation:** The Bill will become an umbrella legislation incorporating various provisions of existing laws catering to such offences thus avoiding overlapping and confusion.
- **Overcome the lacunas of existing laws:** The current law framework allows the Enforcement Directorate to seize the property and assets of an accused as per the rules under the Prevention of Money Laundering Act. But the existing laws do not allow complete 'non-conviction' based asset attachment without any encumbrances.

Lacunas

- **Time limit for attachment:** Section 7(3) of the Bill envisages that an attachment will continue for a period of 180 days from the date of the order of such attachment that may not be sufficient time frame in such cases.
- **Non-effectiveness of bill for extraditing the accused person:** The bill may be effective only in attaching the property of the offender but may not be sufficient to bring him back to India.

- **Difficulty in selling property:** The Fugitive Economic Offenders law may help the banks recover some money as the investigative agencies can attach the properties. However, it will not be easy to sell these properties as buyers are often wary of disputed assets.
- **Question over deterrence effect:** Also whether the fear of their properties being sold is enough to bring the offenders back to the country remains to be seen.

Way Forward

The bill is a step in the right direction to control the practices of fraud and siphoning of the public fund but the actual outcome depends on the proper implementation of the act. Moreover, there is also a need to take preventive steps by proper auditing, purify India's electoral funding, and breaking the nexus between businessman and politician.

National Register of Citizens

Syllabus: Security challenges and their management in border areas

In News

- The state of Assam **released the final draft** of the National Register of Citizens (NRC), seven months after it released the first draft on 1 January 2018, which included 1.9 crore names out of a total applicant pool of 3.29 crore.
- The 2nd list, however, left out 40.07 lakh people wherein 2.89 crore people were found eligible out of 3.29 crore applicants.
- Out of the 40.07 lakh applicants who have been left out of the final draft NRC, 2.48 lakh applicants have been kept on hold including the **D-Voters** (doubtful voters who have been disenfranchised on account of failure to prove citizenship), descendants of D-voters and persons whose cases are pending before the foreigners tribunal. The state however, has not revealed the reason for keeping others on hold.
- The process of filing claims and objections will start on 30 August, during which people whose names have been left out of the NRC Assam, can once again appeal to have their case reconsidered.

What is NRC And Why Is It Being Updated

- The National Register of Citizens (NRC) is the **list of Indian citizens of Assam**. It was prepared in 1951, following the first wave of immigrants from the then East Pakistan. Illegal immigration was a big issue even in those days in Assam. It was prepared under the purview of the **Foreigners Act of 1946**.
- The objective behind updating and publishing the 1951 NRC is to compile a list of the names of genuine Indian citizens residing in Assam and, in the process, detect foreigners who may have illegally entered the state after **March 24, 1971**– the eve of the Bangladesh War.
- The demands to update the NRC of 1951 were first raised by the All Assam Students Union (AASU) and Assam Gana Parishad. The organisations had submitted a memorandum to the Centre in January 1980, two months after launching the anti-illegal foreigners Assam Movement.
- The political fire over the issue has been raging since a long time in Assam. Six year long fiery agitations, which also spawned militancy in the state, culminated into the **Assam Accord of 1985** which lays down the terms of inclusion. Under these terms, anyone who cannot prove that they or their ancestors entered the country before midnight on March 24, 1971 – the eve of the Bangladesh War – will be declared a foreigner

- Whereas successive governments have been extremely reluctant to update the NRC of 1951 due to various political considerations and vested interests, the Supreme Court took up the matter in earnestness when the issue was brought before it.
- In 2015, the **Supreme Court** directed the government to update the NRC in a time-bound manner under the **Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules 2003**.
- For a person's name to be included in the updated NRC list of 2018, he/ she will have to furnish:
 - **Existence of name in the legacy data:** The legacy data is collective list of the NRC data of 1951 and the electoral rolls up to midnight of 24 March 1971.
 - **Prove linkage** with the person whose name appears in the legacy data.
- The Assam government machinery is under the **Registrar-General of India**. Citizenship being a subject on the Union List, the Centre is responsible for the policy decisions, guidelines and funds for the NRC update.

Impediments

- Absence of any clear policy as to **how to deal with the proclaimed illegal migrants** has created a sense of unease in the minds of many presently residing in Assam. The popular rhetoric is deportation of such people back to Bangladesh, however, it is easier said than done as India does not have any deportation treaty with Bangladesh which will lead to further complexities.
- Further, while the NRC is being updated for Assam, there is **no plan to prepare similar NRCs for the other states** in the North East where illegal migration continues to be a volatile issue.
- The draft NRC might lead to **inclusion and exclusion errors**, which will lead to a situation where a large number of legitimate citizens would be denied their voting and other rights.
- **Citizenship (Amendment) Bill, 2016** which seeks to ease the process of granting citizenship to non-Muslims who entered Assam illegally post 1971 has already heightened tensions in Assam. Exclusion of certain set of people post NRC might further raise apprehensions and can lead to **social unrest** and further **communal tensions**.
- The situation is further compounded by that fact that many illegal migrants who were declared foreigners by the Foreigners Tribunals have either absconded to other states to evade arrest or are dead.

Conclusion

The publication of the updated NRC is indeed a positive step in so far as it puts to rest wild speculations about the extent of the illegal migrant population in Assam and the resulting polarisation that political parties have been exploiting to make electoral gains but the actual success lies in its **peaceful implementation**.

Draft Bill On Human Trafficking

Syllabus: Organized crime

In News

Lok Sabha has passed the landmark Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018. Trafficking in human beings is the 3rd largest organized crime violating human rights in the country.

What Constitutes Human Trafficking

- Trafficking for the purpose of forced labor, begging etc.
- Trafficking by administering chemical substance or hormones on a person for the purpose of early sexual maturity.
- Trafficking of a woman or child for the purpose of marriage or under the pretext of marriage.

Scenario In India

- India is a destination for human trafficking. As per the National Crime Records Bureau, in 2016, a total of 15,379 victims were trafficked for exploitative purposes, out of which 10,150 were women and 6,345 were children. And 63,407 children went missing during the year. These numbers will be much higher in reality as many cases go unreported.
- The states where the cases reported high are West Bengal, Rajasthan, Gujarat, Maharashtra and Tamil Nadu.
- The main purposes for human trafficking given in the NCRB report are Sexual exploitation, Forced Marriage, Forced Labour and Domestic servitude.

India's Efforts So Far To Tackle Human Trafficking

- Trafficking in Human Beings or Persons is prohibited under **Article 23 (1)** of the Constitution.
- **IPC**
 - Sections 370–370A of the Indian Penal Code (IPC), 1860 which define and penalise trafficking in persons;
 - Section 371 of the IPC, which criminalises the habitual dealing in slaves;
 - Section 372–373, IPC, which criminalises buying and selling of underage girls for prostitution;
- The **Immoral Traffic (Prevention) Act, 1956 (ITPA)** is the premier legislation for prevention of trafficking for commercial sexual exploitation.
- Protection of Children from Sexual offences (**POCSO Act, 2012**) is a special law to protect children from sexual abuse and exploitation.
- **Criminal Law (amendment) Act 2013** has come into force wherein Section 370 of the Indian Penal Code has been substituted with Section 370 and 370A of IPC which provide for comprehensive measures to counter the menace.
- The **Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act)**, which provides a framework for protection of children who are missing or at risk of being trafficked;
- There are other specific legislations enacted relating to trafficking in women and children:
 - Contract Labour (Regulation and Abolition) Act, 1970,
 - Bonded Labour System (Abolition) Act, 1976,
 - Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979,
 - Child Labour (Prohibition and Regulation) Act, 1986,
 - Transplantation of Human Organs Act, 1994,

- Prohibition of Child Marriage Act, 2006,
- State Governments have also enacted specific legislations to deal with the issue. (e.g. The Punjab Prevention of Human Smuggling Act, 2012)

Need For Such A Law

- **International Commitment:** India is a signatory to 2003 UN Protocol on Trafficking which necessitates to have such a law. India has also failed to uphold The Palermo Protocol, which provides protection to children against trafficking.
- **Lack of Comprehensive Law**
 - Although Article 23 of the Constitution prohibits human trafficking, it does not define the term. The country's first definition of human trafficking based on the UN trafficking protocol was first seen in the Criminal Law (Amendment) Act of 2013, which substituted Section 370 of the IPC with 370 and 370A which deals with trafficking of persons for exploitation. However, this does not include forced labour. Nor does the Immoral Traffic (Prevention) Act of 1956 (as amended in 1986). Other laws pertaining to forced labour in the country do not adequately address the complex issue of human trafficking for the purpose of labour.
 - Although there is an Immoral Traffic Prevention Act in place against trafficking, it only refers to trafficking for prostitution, hence not comprehensive. Nor does the Act provide clear definition of 'trafficking'.
- **Lack of Holistic Approach:** A holistic approach for prevention, protection, and rehabilitation of victims is possible only with an over-arching law.
- **Confusion in Existing Laws:** India's legal framework for addressing trafficking consists of various laws as mentioned above. This creates confusion leaving a legal vacuum when it came to the investigation and prosecution of trafficking offences.
- **Inter-departmental Co-ordination:** The draft seeks to vest the powers of investigation in National Investigation Agency. This can facilitate inter-departmental co-ordination.

Provisions Of The Bill

- The bill adopts a **3-pronged approach** of prevention, rescue and rehabilitation.
- **Institutions**
 - **National Anti-Trafficking Bureau (NATB)** - The Bill provides for the establishment of a NATB to investigate trafficking cases and implement provisions of the Bill. It may take over the investigation of any offence under the Bill, that has been referred to it by two or more states. The bureau may also transfer the case to the state government for investigation and trial, with approval from the central government.

Key functions of the Bureau include: (i) coordinating and monitoring surveillance along known routes, (ii) facilitating surveillance, enforcement and preventive steps at source, transit and destination points, (iii) maintaining coordination between law enforcement agencies and NGOs and other stakeholders, and (iv) increasing international cooperation with authorities abroad for intelligence sharing, and mutual legal assistance.

- **State Anti-Trafficking Officers** - Under the Bill, the state government will appoint a State Nodal Officer. He will also be responsible for providing relief and rehabilitation services. The state government will also appoint a Police Nodal Officer at the state and district levels. The state government will also designate Anti-Trafficking Police Officers for each district, to deal with all matters related to trafficking in the district.

- **Anti-Trafficking Units** - The Bill also provides for the setting up of Anti-Trafficking Units (ATUs) at the district level. ATUs will deal with the prevention, rescue, and protection of victims and witnesses, and for the investigation and prosecution of trafficking offences.
- **Anti-Trafficking Relief and Rehabilitation Committee:** The Bill provides for the establishment of Anti-Trafficking Relief and Rehabilitation Committees (ATCs) at the national, state, and district levels. These Committees will be responsible for: (i) providing compensation to victims, (ii) repatriation of victims, and (iii) re-integration of victims in society, among others.
- **Punishment**
 - It proposes a punishment of life imprisonment for repeat offenders.
 - It also moots three years in jail for abetting, promoting and assisting trafficking.
- The Bill provides for interim relief immediately to victims within 30 days to address their trauma and further appropriate relief within 60 days from the date of filing of chargesheet.
- **Protection And Rehabilitation** - The Bill requires the central or state government to set up Protection Homes. Further, the central or state government will maintain Rehabilitation Homes in each district, to provide long-term rehabilitation to the victims. The central government will also create a Rehabilitation Fund, which will be used to set up these Protection and Rehabilitation Homes.
- **Time-bound trial** - The Bill provides for setting up designated courts in each district, which will seek to complete trial within a year.
- It aims to ensure confidentiality of victims or witnesses and complainants by not disclosing their identity, time-bound trial and repatriation of the victims within a period of one year from taking into cognizance.
- In order to break the organized nexus, both at the national and international level, the Bill provides for the attachment & forfeiture of property and also the proceeds for crime.

In Nutshell:

The bill seeks to combat trafficking at all levels through

- A centralized body to oversee issues of inter-state and international trafficking of persons
- A survivor-centric protection mechanism that ensures the rescue of victims; extending the choice of long term rehabilitation
- A guarantee to the right to statutory rehabilitation in the form of dedicated rehabilitation fund, protection and rehabilitation homes
- Economic deterrence that targets trafficking as an organized crime by attachment and forfeiture of property and freezing of bank account that are used for the purpose of trafficking.
- Designated courts, and special public prosecutors for speedy trial while protecting the identity and confidentiality of victims and witnesses.

Criticism

- At least 10 different laws currently address activities that constitute “trafficking of persons” - sometimes at cross-purposes with each other. This Bill adds yet another legislation to this list. Not only that, it proposes to set up a parallel anti-trafficking bureaucracy with at least 10 new agencies.
- The current fails to recognize the Government’s undertaking in 2015 to the Supreme Court of India that it will draft a comprehensive legislative framework by harmonising and integrating existing laws into one.

- Trafficking for the purposes of begging is considered “aggravated” under the Bill, whereas trafficking for sexual exploitation and forced removal of organs is simple trafficking. Hence, according to the current bill, trafficking for the purposes of begging is graver offence than trafficking for sexual exploitation and forced removal of organs
- Slavery and practices similar to slavery and servitude, which capture the most egregious forms of coercion and bondage under domestic and international law, are also simple trafficking.
- The Bill categorizes a person who encourages another person “to migrate illegally into India or Indians to some other country”, as having committed an act of ‘aggravated form trafficking’, punishable with 10 years imprisonment.
- Conflation of migration, which is voluntary movement of persons, with trafficking, which necessarily involves coercion, fraud, deception and exploitation is dangerous, especially for refugees and other vulnerable immigrants.
- According to this Bill, factories and farms can be “closed down” based on a mere complaint as the Bill introduces offences in relation to, and authorizes closure of premises, which are “to be used” as a “place of trafficking”.
- Currently, trafficked victims are charged for ‘minor’ offences like travelling without a passport [in case of foreign nationals], soliciting [in the case of sex work] or working without authorization or employment papers [in the case of labour trafficking]. Victims will continue to be charged and tried for these violations, like before. It is nothing but the travesty of justice.
- The bill completely ignores the recommendations of Supreme Court-appointed panel in relation to sex work. Such recommendations of the Court appointed panel, not reflected in the Bill, are:
 - to adopt community-based rehabilitation, i.e. alternatives that are not contingent on trafficked women staying in state-run “homes”.
 - to revise laws like the ITPA so as to distinguish between those coerced into sex work and those who engage in it voluntarily, so that interventions are tailored to those who need them.
- The Bill provides solutions which have been rejected by the UN. ‘Protection homes’ and ‘rehabilitation homes’ - which are the mainstay of rehabilitation under the Bill, have been proven to be sub-optimal, even counter-productive solutions.
- The United Nations Special Rapporteur on Trafficking in Persons, especially Women and Children, has explicitly noted that such measures “inevitably compound the harm already experienced by trafficked persons and denies them the rights to which they are entitled”.

Conclusion

Human trafficking is often a cross-border phenomena occurring in collusion with people from neighboring countries. The new law will, therefore, make India a leader among South Asian countries to combat trafficking.

Counter-Drone Strategy For Airports Ready

In News

- A strategy to neutralise drones near airports has been finalized by the aviation security watchdog BCAS (Bureau of Civil Aviation Security).
- The strategy deals with drones operating near aerodromes as the body (BCAS) is mandated to ensure aviation security.

Key Highlights

- The counter-drone plan has been prepared by a committee headed by Kumar Rajesh Chandra, the Director General of BCAS.
- The strategy proposed a “soft kill” approach instead of a hard kill approach because destroying a drone with a payload of explosives or biochemical will result in an attack and serve the purpose of their handlers.
- “Soft kill” approach includes entrapping or jamming drones instead of destroying them.
- The Ministry of Home Affairs may prepare a separate plan to deal with drone attacks in sensitive zones such as Parliament.

Bureau of Civil Aviation Security (BCAS)

- The Bureau of Civil Aviation Security was initially set up as a Cell in the Directorate General of Civil Aviation (DGCA) in January 1978 on the recommendation of the Pande Committee constituted in the wake of the hijacking of the Indian Airlines flight on 10th September, 1976.
- The BCAS was reorganized into an independent department on 1st April, 1987 under the Ministry of Civil Aviation as a sequel to the Kanishka Tragedy in June 1985.
- The main responsibility of BCAS are lay down standards and measures in respect of security of civil flights at International and domestic airports in India.
- It is a regulatory authority for civil aviation security in India and is headed by an officer of the rank of Director General of Police and is designated as Commissioner of Security (Civil Aviation).

The US ‘Space Force’**In News**

- U.S. President Donald Trump has announced the establishment of a “space force” as the sixth branch of the United States military. The other five branches are- United States Army, United States Navy, United States Marine Corps, United States Air Force, and United States Coast Guard.
- The new force will be separate but equal to the U.S. Air Force (USAF).
- Currently, U.S. Air Force Space Command (AFSPC) oversees U.S. defense policy in space. AFSPC also monitors space debris that may fall back to Earth or damage rockets leaving Earth -- and as if that were not enough, it also manages cyberspace operations for the military.

Key Highlights

- A Space Force would be part of the Air Force, just like the Marine Corps is part of the Navy.
- It would absorb missions like spacelift operations, command and control of satellites, and more.
- It would have its own budget and be headed by its own Chief of Staff (sitting on the Joint Chiefs of Staff) but be subordinate to the Department of the Air Force.

Rationale Behind This Step

- America has a "vital interest in space". Among other advances, both Russia and China -- America's closest near-peer rivals in space -- have tested anti-satellite (ASAT) missiles in recent years, with China actually shooting down one of its own satellites in a demonstration in 2007 and announcing the development of a mobile, ship-launched ASAT weapon in 2016.

- There are reports that both countries are engaged in development of ground-based laser weapons capable of shooting down U.S. spy satellites. Chinese ability to hack into U.S. weather service satellites, demonstrated in 2014, was perhaps one such wake-up call.
- As a result, U.S. started to feel the need to invest more in space weapons, both defensive and offensive, to offset Russian and Chinese advances.
- New NASA Administrator Jim Bridenstine notes that less destructive "jamming, spoofing, hacking, and dazzling" attacks have the potential to disrupt GPS and other military satellites. And if GPS signal is lost, banking operation would shut down and such threats have potential to create civil unrest.
- Also, a desire of American dominance in space makes essential that the military branch responsible for space dominance be focused exclusively on space, and not distracted by other missions or other funding priorities.

Analysis

- It is being argued that breaking the USAF (US Air Force) into two, with the creation of a Space Force, is not a promising idea as it is not clear that separating them will improve focus and effectiveness when it comes to outer space. The USAF is adept at being in space and can create the technologies required for both Space Situational Awareness (SSA) as well as presence.
- There has been internal resistance to the establishment of a separate "space corp/force" from within the highest echelons of power in the USAF. Structurally, the direction to establish a "space force" implies that there will be a dilution of power within the U.S. Army, Navy, Air Force, Marines, and Coast Guard, by adding another voice — the "space force."
- Instead of dividing the U.S. defense budget essentially into third between the Department of the Air Force, Department of the Navy, and Department of the Army, this is likely to result in a four-way split, where space can argue for budget share directly against the other services.
- By establishing a new branch of the U.S. military, Trump is sending a signal to countries like China and Russia that U.S. space assets will now have a "dedicated military branch" safeguarding them but it is likely to raise fears over the militarisation of space.

India's Space Security Policy

- Several recent trends are impacting the security and sustainability of outer space activities. These include: the massive growth in the number and diversity of actors operating in outer space, including governments and the private sector; the proliferation of hazardous space debris; and increasing dependence on outer space in the civilian, government and military sectors.
- Hence, there exists a possibility of intentional tampering with such assets and the associated ground setup, either by state or non-state actors.
- A distinction must be made between "**militarisation of space**" and the "**weaponisation of space**". These terms are sometimes used as if they were interchangeable, but they are not. While there are no specifically deployed weapons in space yet, there are satellites that could be manoeuvred to act as weapons to disable or destroy the space assets of others.
- Therefore, when considering questions of space security, it must be recognised that ***though space has not yet been specifically weaponised, it is already heavily militarized.***
- The threat to space assets is directly proportional to degree of nation's dependence on the assets. Higher the dependence, the greater will be threat and the vulnerability.
- The rapidly changing global space order makes it important that India formulates an effective

policy to secure its interests in space.

India's Adherence to Space Norms

- India believes in protecting space sustainability to allow peaceful uses of outer space by all stakeholders.
- The UN General Assembly (UNGA) had established a **Committee on the Peaceful Uses of Outer Space (COPUOS)** in 1959, and had proposed five treaties for approval and ratification by the member states.
- India is committed to the observance of the following UN conventions/guidelines that have broader global acceptability: *India adheres to the 1967 Outer Space Treaty (OST), 1968 Rescue Agreement, 1972 Liability Convention and 1974 Registration Convention. Also, India is a signatory to the 1979 Moon Agreement.*
- India is a **member of the Inter-Agency Space Debris Coordination Committee (IADC)** and adheres to the Debris Mitigation Guidelines of 2008.
- India actively participates in all discussions at the Conference on Disarmament (CD). India was the co-sponsor of the **UNGA resolution 68/29** on Prevention of an Arms Race in Outer Space (PAROS).
- India is prepared (in principle) for deliberations on the revised **Treaty on Prevention of the Placement of Weapons in Outer Space** and of the **Threat or Use of Force Against Outer Space Objects (PPWT)** presented by Russia and China, as a contribution to the various proposals for negotiating a legally binding instrument in the CD.

Way Forward

- Develop an institutional structure to implement space security policy - To cater for strategic requirements, a **National Authority for Space Security (NASS)** needs to be established under the Defence Ministry to oversee all aspects of space security.
- A dedicated **Space Command** needs to be established for administering various military-related aspects of satellite technology.
- Enhance Space Situational Awareness Capabilities
- Develop Legal Architecture
- Develop Strategic Technologies
- **Counter-space Capabilities** - Adversaries should be aware of India's retaliatory capabilities. For this purpose, India would have to develop effective counter-space capabilities. India needs to undertake a debris-less Anti-satellite Weapons (ASAT) test as a deterrence demonstration.

Tejas Commences Operations From Sullur Air Force Station

In News

- Indigenous fighter aircraft Tejas (of No 45 Squadron '**The Flying Daggers**') formally commenced operations from the Air Force Station at Sullur near Coimbatore.
- Tejas is the first advanced fly-by-wire fighter aircraft designed, developed and manufactured in India by Bengaluru headquartered HAL.

- It is equipped with a satellite aided Inertial Navigation System. The aircraft has a digital computer-based attack system and autopilot mode. It can fire Air to Air Missiles, carry bombs and Precision Guided ammunition.
- With the deployment of Tejas, the 'Flying Daggers' would take up wartime role towards safeguarding national skies.
- **Tejas fighter aircraft:**
 - It is lightweight single-seat multi-role jet fighter. It has been pegged as world's smallest and lightest supersonic fighter. It is powered by a single engine. It has tailless and compound delta wing design.
 - It was developed and manufactured under Light Combat Aircraft (LCA) programme, which began in the 1980s to replace India's ageing MiG-21 fighters. It has limited reach of a little over 400-km. It will be mainly used for close air-to-ground operations.

Successful Qualification Of High Thrust Vikas Engine

In News

- Indian Space Research Organization (ISRO) has successfully conducted the first ground test of the improved Vikas Engine which is now capable of generating higher thrust, thanks to multiple upgrades by the team at the Indian space agency.
- The test lasted for only 195 seconds and was conducted at the ISRO Propulsion Complex (IPRC) in the Mahendragiri region of Tamil Nadu.
- The Vikas rocket engine is a liquid propellant-based rocket engine which was recently employed in full capacity for the launch of the GSAT_6A mobile communications satellite into orbit aboard the GSLV Mk II (F08) satellite launch vehicle.
- ISRO claims that the upgraded version of the Vikas rocket engine will power the second stage of India's Polar Satellite Launch Vehicle (PSLV), the second stage and the four strap on stages of Geosynchronous Launch Vehicle (GSLV) and the twin engine core liquid stage (L110) of GSLV Mk-III.
- The Vikas engine's successful ground test marks the second successive victory for ISRO after the space agency successfully tested the Crew Escape System as a part of its Indian Human Spaceflight Programme (HSP).

NASAMS-II (National Advanced Surface-To-Air Missile System-II) Air Defence System

In News

India has begun the process of introducing a multi-tiered air defence network to fully secure its airspace from incoming enemy threats by initiating the process of acquiring US-built advanced air defence system.

NASAMS-II

- NASAMS-II is an upgraded version of the NASAMS developed by Raytheon in partnership with



KONGSBERG Defence and Aerospace of Norway.

- It has been operational since 2007. It features new 3D mobile surveillance radars and 12 missile launchers for quicker reaction.
- NASAMS-II is highly adaptable mid-range solution for any operational air defence requirement. It provides tailorable, state-of-the-art defence system that can maximize the ability to quickly identify, engage and destroy current and evolving enemy aircraft, UAV or emerging cruise missile threats.

Significance for India

India's purchase of NASAMS-II will help in preventing 9/11-type on NCT Delhi. It will also complement India's other systems such as the medium and long-range surface-to-air missile (SAM) systems under procurement. With this India will join League of Nations including US, Russia and Israel etc. who have their own missile defence systems to protect their national capital regions.

Brahmos Flight-Tested In Extreme Weather Conditions

In News

- Supersonic cruise missile BrahMos successfully flight-tested under extreme weather conditions as part of the service life extension programme for the Army.
- The technology will make missile systems durable. The test was aimed at gauging its killing probability in extreme conditions. The sea state during the test was 7 which means around nine-meter wave and strong winds.
- BrahMos is a joint venture of India and Russia, the world-class BrahMos has emerged as the ultimate weapon of choice in modern warfare with its unmatched speed, precision and firepower.
- The nine-meter long missile can travel at thrice the speed of sound and carry a conventional warhead weighing upto 300 kg.
- BrahMos is the only supersonic cruise missile possessing the advanced capability providing an edge to the user with precise hit.
- The Indian army is the first army in the World to have a regiment of supersonic cruise missile with advanced capabilities.
- The missile can be fired on three different targets or in a variety of other combinations near simultaneously. While its air force version is under developmental tests, the missile has already been inducted in the Army and the Navy.
- Initially, developed for 299 km, the strike range of the weapon system has been increased to **450 km** after India's full membership to the Missile Technology Control Regime (MTCR), which removed caps on range of cruise missiles.

Happiness Curriculum

Syllabus: Role of family, society and educational institutions in inculcating values.

In News

- In the august presence of Dalai Lama, the Delhi government has launched a **happiness curriculum** in state-run schools.
- It will be taught to around eight lakh students from nursery up to Class 8 of all Delhi government schools from the new academic session.
- The curriculum involves a **happiness period** of 45 minutes and 5 minutes of meditation before each class. A team of 40 experts framed the curriculum that will include meditation, moral values and mental exercises.
- The government termed the step as the **third stage of reforms** in education sector, initiated after focusing on infrastructure development and motivation of teachers at the government schools.

Provisions

- The **Happiness Index** in schools would involve many distinct yet interrelated factors.
 - (i) First being, **physical environment**, where students are offered a warm, secure and comfortable setting. This includes bright colours, open spaces, green lawns, and well-lit classrooms which are conducive to individual instruction as well as group work.
 - (ii) Second is **curriculum**, carefully constructed syllabus which offers enrichment opportunities, self-learning, peer-learning and group learning for students.
 - (iii) Third, and most important, is the **faculty** who are a medium through which they nurture happiness in students. Teacher's understanding and patience provides comfort for a child.
 - (iv) Fourth is an environment which provides a mix of **scholastic and co-scholastic activities** that helps children enjoy multiple aspects of coming to school.
 - (v) And lastly, treating the child as an individual with a distinct personality and nurturing their talents. The schools need to nurture that dimension of a child so that the child enjoys every part of schooling.
- A **helpline** called **mera dost** will be launched through which children will be able to share their problems directly with the clinical psychologist via phone.
- The curriculum is expected to be **purely activity based** and **no formal examinations** would be conducted. However, every child will have a periodical assessment to see the child's progress.

Need for Happiness Curriculum

- Going by the 2017 **World Happiness Report**, India stands abysmally low at 122 out of 155 countries evaluated. Growing economy and per capita income isn't the only factor that leads to happiness. According to the report, even countries with an ageing population and declining economic growth are ranked much higher than India. The report calls for attention as one of the fastest growing economies in the world is slowly turning out to be a sad place to live in.
- Demonstrated by the rankings of many countries, the report shows evidence that happiness is a result of creating strong social foundations and in most countries, the biggest single cause of misery is mental illness.

- World Health Organization defined health as **a state of mental and social—not just physical—well-being**. Today, more and more schools worldwide are integrating social-emotional learning into their curriculum, teaching skills such as self-awareness, empathy and active listening.
- Students in the 21st century face a lot of issues on a daily basis, be it exam pressure, peer pressure, depression, or psychological factors. They need an environment which keeps them happy. Schools should help inculcate an environment where students not only learn academically, but **focus on their all-round development**.
- Headlines like a student allegedly killing his junior to get his exams postponed or a group of boys beating up a classmate to death over a minor issue are just one of the few incidents that have shocked the nation. According to NCRB (2015) every hour one student commits suicide in India. According to NCPCR, there is a 300% rise in the number of crime amongst school children.

Benefits

- Education plays an important role in creating a **strong social foundation** for the future generations and can help in curbing the situation. Happiness can act as a catalyst for **building social trust and healthy living** among students gained from knowledge-based learning programmes.
- Happier children learn more, cope better and are much more likely to make the most of their potential. Further, happier kids are more **efficient learners and creative thinkers** as they tend to sleep better and have healthier immune systems.
- Research demonstrates that **happy people are successful across multiple life domains**, including marriage, relationships, health, longevity, income, academic and work performance developing them into well-rounded individuals. They are better able to multitask and endure boring tasks and are more trusting, helpful and sociable.
- The training will also make the kids **resilient in the face of failures** and help them to garner stronger relationships.
- Positive emotional experiences have long-lasting effects on our personal growth and development. Specifically, positive emotions broaden our attention and thinking, enhance resilience, and build durable personal resources, which fuel more positive emotions in the future.

Conclusion

India is not just a country but a civilisation which is a treasure trove of ancient knowledge systems with spirituality at its core. Dissemination of spiritual knowledge devoid of religious leanings will not only help in creating happy souls but also lay the foundations of a value based society based on scientific knowledge.

Student Police Cadet Programme

Syllabus: Role of family, society and educational institutions in inculcating values.

In News

The **Ministry of Home Affairs** launched the nationwide **Student Police Cadet (SPC) programme**, which aims to build a bridge between the police and school students by inculcating values and ethics in them through classes.

Reasons For Launching The Scheme

- While the dawn of new technologies, internet and social media has helped children keep pace with the changing times, it has also adversely impacted our society as we witness the breakdown of the traditional family system, and worrying rise in the incidents of crimes, substance abuse, and rapes.

- The education system creates tremendous pressure on students these days by focusing on building careers and rising incomes to cope with rapid modernisation and cut-throat competition, while little attention is being paid towards character building of students.
- India will soon have the world's largest population, including 63% youth. There is a paradigm shift in policing function from enforcement to facilitation of law. So the aim is to incorporate civic sense, social responsibility and inclusiveness in the youth, besides solving problems of contemporary youth.

Provisions Of The Scheme

- In the initial phase, it will be implemented in **all government schools** in urban and rural areas across the country and later it will be expanded to cover all schools.
- A sum of Rs 50,000 would be provided to each school for educational assistance, training and contingencies under the programme. A sum of Rs 67 crore has already been disbursed to the states for its implementation.
- The programme focuses on around **four crore students of Classes 8 & 9** and special care has been taken to ensure that it does not lead to increase in the workload of the students. The programme **does not have any prescribed textbook nor is any exam envisaged**. Only one class in a month is proposed.
- The programme seeks to cover broadly two kinds of topics - **crime prevention and control** and **values and ethics**. Under the first part, the topics covered are - community policing, road safety, fight against social evils, safety of women and children, fight against corruption and disaster management. The topics under the second head would be - values and ethics, respect for elders, empathy and sympathy, tolerance, patience, attitude, team spirit and discipline.
- Students will study about the law and Constitution, communication skills, disaster management, and health and hygiene. Summer and mini camps will be organised at the district and State levels.
- There shall be greater emphasis on **field demonstrations** and **hands-on learning of the functioning of police** through visits to women police stations, child protection homes including NGOs, traffic police and fire brigade stations.
- A handbook has been prepared by the Bureau of Police Research and Development for imparting instructions with the support of **NCERT**.
- The teachers will act as community police officers (CPOs) and additional CPOs, who will be trained by the police.
- The programme will be steered by a state-level committee to be headed by the state principal secretary, home; principal secretary, education; and DGP as members.
- There shall be a similar committee at the district level level headed by the district magistrate with district inspector of schools and superintendent of police as members.

Benefits

- The SPC programme will provide a healthy interface between schools and police and help inculcate in students the aspects of public safety, discipline, patience, tolerance, empathy, respect of senior citizens, social harmony, traffic sense and a corruption-free environment.
- It will also assist in **social construction through personality building of students**. The youth of tomorrow who emerge out of such a programme would bear ethical values of social commitment and be aware of social evils such as drugs, alcohol abuse, intolerance and vandalism.

- Just as we have the National Cadet Corps scheme for the Army and the National Social Service Scheme for civil authorities, the student-police cadet scheme will cultivate a league of youngsters in schools and colleges who are aware of police procedures and are a step ahead of others in appreciating the law and order problems affecting the country.
- The students having undergone SPC training will be given advantage in police recruitment.
- Apart from this, Police Department could also get assistance in knowing about the expectations of youth from it and can improve its image.

Challenges

There is a **major shortage of police personnel** available for active duty. India has 151 police per 100,000 population which is 71 less than the ratio prescribed by the United Nations. Shortage in police personnel therefore remains a question of how the state government will be able to release competent police personnel to carry out training programmes in schools across the state. Unless major efforts are undertaken to recruit more police personnel and address the shortage affecting the force, it is unlikely that the student police cadet scheme will be of any credible effectiveness.

Conclusion

The programme will lead to a **silent revolution** by imparting moral education with a **focus on character building and personality development** which will lead to the creation of a **just and humane society** where citizens respect and follow laws, practice responsible behavior, and demonstrate empathy for weaker sections of society.