

INSIGHTSONINDIA



INSIGHTSIAS
SIMPLIFYING
IAS EXAM PREPARATION

INSIGHTS into EDITORIAL

&

UPSC Civil Services (Mains) 2017: Question Papers (GS)

OCTOBER 2017

www.insightsonindia.com

| www.insightsias.com

Table of Contents

INSIGHTS into EDITORIAL	2
03/10 - Back to paper: on using VVPAT in Gujarat polls	2
04/10 - Tackling the economic slowdown	4
05/10 - Awaiting police reforms	6
06/10 - Coal-fired projections: on the draft energy policy	8
07/10 - Does India need a bullet train?	10
09/10 - Tri-service integration or consolidation?	12
10/10 - Navigating a changing world	14
11/10 - At Bonn, stay the course	16
12/10 - Is 'deep sea fishing' the silver bullet?	18
13/10 - The will to die — on 'living wills'	20
14/10 - Saving child brides — on SC ruling on sex with minor wife	21
15/10 - Six steps to job creation	23
16/10 - Between disarmament and deterrence	25
18/10 - Avoid the Adventurous Path	27
19/10 - Making the Internet disappear	29
20/10 - A first step: On Multi Commodity Exchange	31
21/10 - Do all women have a right to enter Sabarimala?	32
23/10 - Unravelling of the Iran deal	34
24/10 - A flood of questions	36
25/10 - It's time to make deep emission cuts	38
26/10 - With or without the veto	39
27/10 - A bold step in bank reform	41
28/10 - All the roads that lead to Kabul	43
30/10 - Complicated terms of engagement	45
31/10 - Devaluing high courts	47

INSIGHTS into EDITORIAL

03/10 - Back to paper: on using VVPAT in Gujarat polls

Background:

Election Commission issues formal direction to use VVPAT machines in all future Lok Sabha and Assembly elections. In a letter to state Chief Electoral Officers, the Commission said, Voter-Verifiable Paper Audit Trail (VVPAT) will be used at polling stations in all future elections where polls are held using Electronic Voting Machines (EVMs).

Since August 2013 after the Supreme Court order, VVPATs are being used with EVMs in selected constituencies during the polls.

In May this year, the Commission had announced hundred per cent coverage of VVPAT in all future elections to Lok Sabha and state assemblies and now formal directions have been issued.

Recently, several political parties have been pressing for the use of these machines to dispel doubts about EVM tampering. After the UP assembly elections early this year, sixteen parties had also petitioned the poll panel to revert to paper ballot system for greater transparency.

Gujarat will be the second state after Goa and the first big state to use the Voter Verifiable Paper Audit Trail (VVPAT) system for the coming Assembly elections.

The Election Commission also said it has been considering counting Voter-Verifiable Paper Audit Trail (VVPAT) slips of one polling station in each assembly constituency on a pilot basis in the upcoming Himachal Pradesh elections.

What are VVPAT machines?

The Voter Verified Paper Audit Trail is a method that provides feedback to voters.

- It is an independent verification printer machine and is attached to electronic voting machines.
- It allows voters to verify if their vote has gone to the intended candidate.

How do VVPAT machines work?

When a voter presses a button in the EVM, a paper slip is printed through the VVPAT.

- The slip contains the poll symbol and name of the candidate.
- It allows the voter to verify his/her choice. After being visible to the voter from a glass case in the VVPAT for seven seconds, the ballot slip will be cut and dropped into the drop box in the VVPAT machine and a beep will be heard.
- VVPAT machines can be accessed by polling officers only.

VVPAT is a machine which dispenses a slip with the symbol of the party for which a person has voted for. The slip dropped in a box but the voter cannot take it home.

What is the Election Commission's stand on the issue?

The EC has time and again reiterated that EVMs cannot be tampered with.

- It has made public the findings of inquiries into specific charges of tampering in Madhya Pradesh's Bhind and Rajasthan's Dholpur that give a clean chit to the machines.
- With the Opposition insisting on doing away with the EVMs and the controversy refusing to die down, the EC had thrown open a challenge, inviting computer experts and political leaders to prove that the machines can be hacked, in the presence of the EVM manufacturers.
- Now, Election Commission issues formal direction to use VVPAT machines in all future Lok Sabha and Assembly elections.
- Gujarat will be the first big state to use the Voter Verifiable Paper Audit Trail (VVPAT) system for the coming Assembly elections.



What does the Supreme Court say?

The Supreme Court on April 13, 2017, asked the Centre to respond to a plea by the BSP party to comply with a 2013 Supreme Court directive to introduce paper trail in EVMs.

- In 2013, the SC had asked the Commission to introduce paper trails in EVMs in a phased manner for the 2014 Lok Sabha Elections.
- EVMs with VVPAT system ensure the accuracy of the voting system.
- The bench has said with intent to have fullest transparency in the system and to restore the confidence of the voters, it is necessary to set up EVMs with VVPAT system because vote is nothing but an act of expression which has immense importance in democratic system.

Why did Election Commission decide to deploy VVPAT system?

The Election Commission's decision to deploy the Voter Verifiable Paper Audit Trail system for all the constituencies in the Gujarat Assembly elections will be the first time VVPAT used on a State-wide basis. The EC had sought to allay concerns and confront allegations of voter fraud by running through the administrative and technological safeguards instituted to keep EVMs and the voting process tamper-proof.

- A costly but useful complement to the Electronic Voting Machine, it allows the voter to verify her vote after registering it on the EVM.
- The paper trail allows for an audit of the election results by the EC in a select and randomised number of constituencies.
- The implementation of VVPAT was to have been undertaken by the EC in a phased manner, but this blanket use appears to have been expedited after a series of unwarranted attacks on EVMs by some political parties.

VVPAT ensures transparency and confidence in the election process

The execution of the VVPAT concept would result in printed receipts of what party the EVM machine has registered a vote for. The said printed receipts would then ideally be collected by the voters and subsequently dropped in a ballot box.

Therefore, the votes registered in the EVM may then be tallied with the ballot papers collected in the ballot box, thus, allowing the commission to ascertain whether a recount is required or not. Such printed receipts ensure that the voting is carried out in a more transparent fashion and further inspiring confidence in the election process.

What are the other areas that EC must stay vigilant on?

Due to VVPAT machines during the poll, the voters will experience the transparency and would enjoy a new right. It would be wise for the EC to rapidly transit to third-generation, tamper-proof machines, which must be thoroughly tested and vetted by experts before deployment.

- The EC's use of a standalone, non-networked machine that runs on a single programmed microchip shows that India's EVM are simple but effective.
- Many advanced democracies used networked EVMs, which raised the question of remote manipulation through viruses and malware, compelling many of them to revert to paper ballots. Hence our EVMs must ahead of the curve compared to the alternatives used elsewhere in the world.
- The EC has so far demonstrated that the voting process is robust so its machines should continually be upgraded to meet possible challenges.
- There are other concerns regarding the use of technology that it must be aware of. For example, Russian cyber-hacking, using techniques such as spear-phishing of election officials and related manipulation of voter data, has been suspected in some jurisdictions abroad.
- A preliminary estimation by the watchdog indicates the move will lead to a three-hour delay in declaration of poll result. In this case, an internal committee should be set up by EC to discuss the modalities of fully VVPAT-based polls and proposed matching of paper trail with EVM

Way forward

The EC's move in late 2015 to avoid the linking of the voter identity card with the Aadhaar number in order to avoid the trap of linkages with big data, thus becoming susceptible to digital manipulation, was thus a wise decision. It must continue to keep its processes decentralised and accountable.

It had also challenged political parties to a hackathon to see if, with these safeguards in place, EVMs could be manipulated. However, the representatives of only two political parties (the Communist Party of India (Marxist) and the Nationalist Congress Party) bothered to turn up. It is unfortunate that parties have found it worthwhile to cry wolf but refuse to meaningfully engage with the EC when challenged to do so.

The introduction of VVPAT and the audit process should allay some of the doubts raised by EVM naysayers and should ensure transparency and confidence in the electoral process.

By 2019 general elections, VVPAT machines with EVMs in all the constituencies are expected to be introduced.

04/10 - Tackling the economic slowdown

Context:

Economic growth has slowed for five consecutive quarters, that is from late 2015-16 onwards. It should serve as a wakeup call for the government to take all necessary steps to revive the economy.

Why should it matter to us if the economy is growing more slowly?

Growth matters in India as a large number of persons have to make do with far too few goods and services as it is which is how poverty is defined. Note that these goods also include public goods or goods that are accessed by the entire populace of a country, such as parks, roads and bridges. Since these public goods are provided by government, the government needs tax revenues to supply them, and these depend upon national income.

Then there is employment. A demand for labour exists only when there is a demand for goods. So growth is necessary if employment is to be assured. In India we not only have a pool of unemployed persons to absorb but we also need to provide employment to youth continuously entering the labour force.

From this point of view, the slowing of the economy for last five quarters is a source of concern. Fiscal stimulus can help to recover the economy.

Why do Structural reforms must for growth of Indian Economy?

Structural reforms remain key to ensuring a steady 8 per cent growth in medium term for the Indian economy. After the passage of the bankruptcy law by Parliament, Structural reforms including GST and in areas like land and labour, will be key to boost India's economic growth potential going forward.

Since 2014, in particular, "the ease of doing business" has received great attention from this government. The economy today is far less regulated than it was in 1991. It would be correct to say that labour market reforms have not been taken up yet in Parliament and that exit is necessary for a dynamic economy.

Labour laws in India make exit difficult, and complying with requirements with respect to the hiring of labour is time consuming and therefore costly. It is possible that the share of manufacturing will rise if the labour market is liberalised. This could even benefit labour.

More reforms in land market are also needed

Apart from restrictions on conversion of agricultural land, no policy stands in the way of private parties transacting with one another. Surely, we can't treat the issue of the alienation of agricultural land so casually as to remove all discretion vesting with government.

If the argument is that the government must ensure as much land to private industry as they seek, though at a price, this is an intervention out of sync with a market economy. In this context, it may be said that an intervention that government in India should avoid is facilitating land acquired for industry to be alienated from manufacturing activity.

Cases in question range from land owned by public sector units in Bengaluru, private mills in Mumbai and private industry in rural Kerala.

Land and labour market reforms are a pre-requisite for accelerating growth today.

Stepping-up of public investment is essential for a slowing economy

Capital formation as a share of output has declined almost steadily for six years now. In 2014-15 it rose slightly but soon resumed it has been sliding at a faster rate. Actually, it contributed to the downward trend by reversing the rate of growth.

It is capital formation, or investment, that drives growth in the economy. Investment is an immediate source of demand as firms that invest buy goods and services to do so, but it also expands the economy's capacity to produce.

Of the two sources of investment, namely private and public, the first has been depressed for some years. In a slowing economy, private investment is unlikely to revive in the absence of some external force. This is so as investment involves committing funds for a long period under uncertainty.

It is for this reason that the stepping-up of public investment is essential when private firms are unwilling to invest more. Not only does increased public investment increase demand and quicken growth but it may be expected to encourage private investors, as the market for their goods expands.

Increase in inflation must be offset with the increase in growth

Increased public investment leads to a higher deficit, which is the gap between the government's expenditure and its receipts.

Among economists themselves there is resistance to governments running a deficit for fear that it may be inflationary. But in any such assessment, the increase in inflation must be offset with the increase in growth that would have been achieved due to greater public investment.

In India, the increase in inflation that could come with higher growth would be due to the shortage of agricultural goods. So any plan for increasing the rate of growth, not just at the present moment but in general, must reckon with agricultural shortages.

Moderation of fiscal deficit is important

Fiscal deficit is bridged by market borrowing and central bank printing fresh currency, if necessary. To a limited extent, FD is important as the Government's ability to help growth and welfare increases. However, FD becomes problematic and even destabilizing when it overshoots a rational threshold.

- Moderation of fiscal deficit is important. Large and persistent fiscal deficits are a cause of concern, as they pose several risks.
- Fiscal deficits may cause macroeconomic instability by inflating the economy as money supply rises.
- Corporate sector is crowded out—they are left with inadequate funds in the markets as the government borrowing requirements increase.
- Added to that, interest rates will be high as there is pressure on the available money in the market.
- Inflation may mean fewer saving, less investment and eventually it hurts the sustainability of high growth.
- Large deficits, even if they do not spill over into macroeconomic instability in the short run, will require higher taxes in the long term to cover the heavy burden of internal debt.

While it is right to be concerned with the consequences, the correct approach would be to aim to balance the budget over the growth cycle. That is, the deficit may be increased as the economy slows and contracted as the economy quickens.

Way forward

Since 2014 the government has focussed aggressively on the supply side by making it easier for private firms to produce. But we are now facing a demand shortage in the economy.

- The immediate thing to do is to expand public investment in infrastructure.
- Repair and reconstruction of India's poor infrastructure is the direction in which greater public investment must now flow.

It is the most direct and potent measure that can be undertaken to address the slowdown the economy is experiencing.

05/10 - Awaiting police reforms

Context:

There has been a rise of public demand for an efficient, accountable and people-centric police that steadfastly upholds the Rule of Law in all situations. Since independence, the National Police Commission as well as multiple expert committees have submitted successive reports recommending extensive reforms in the Police. These recommendations have mostly remained unimplemented.

In September 2006, the Supreme Court of India, in Prakash Singh Vs Union of India passed a historic judgment directing the Central and State Governments towards operational reform and functional autonomy of the police. The Indian Police Foundation was inaugurated in 2015 to mount pressure on State governments to implement the directions of the Supreme Court on police reforms (Prakash Singh v. Union of India).

However, in effect the country has failed to use this historic opportunity for serious modernization and reform of the police.

Introduction

Under the Constitution, police is a subject governed by states. The centre is also allowed to maintain its own police forces to assist the states with ensuring law and order. Therefore, it maintains seven central police forces and some other police organisations for specialised tasks such as intelligence gathering, investigation, research and recordkeeping, and training.

The primary role of police forces is to uphold and enforce laws, investigate crimes and ensure security for people in the country. In a large and populous country like India, police forces need to be well-equipped, in terms of personnel, weaponry, forensic, communication and transport support, to perform their role well.

Further, they need to have the operational freedom to carry out their responsibilities professionally, and satisfactory working conditions while being held accountable for poor performance or misuse of power.

Some of the issues in the policing system in India

Various expert bodies have examined issues with police organisation and functioning over the last few decades. Its chronology as follows-

- National Police commission 1977-81
- Rubeiro Committee 1998
- Padmanabhaiah committee 2000
- Malimath committee 2002-03
- Police Act drafting committee 2005

RICH GET BAIL, POOR REMAIN IN JAIL

Undertrials who're
illiterate/semiliterate

70.6%

Prisoners awaiting
trial

67%



Law Panel

60% arrests
unnecessary and

account for 42.3%
of jail expenses

TheQuint.com



PRESSURE
ON PRISONS

4,19,623
inmates lodged
in 1,401 jails

Prison
occupancy
114%

Source: 268th Law Commission Report

- Supreme Court directions in Prakash Singh vs Union of India 2006
- Second ARC 2007
- Police Act drafting committee-II 2015

Issues:

- **Police accountability**

Police forces have the authority to exercise force to enforce laws and maintain law and order in a state. However, this power may be misused in several ways. To check against such abuse of power, various countries have adopted safeguards, such as accountability of the police to the political executive, internal accountability to senior police officers, and independent police oversight authorities

- **Crime Investigation**

Each police officer is responsible for a large segment of people, given India's low police strength per lakh population as compared to international standards. While the United Nations recommended standard is 222 police per lakh persons, India's sanctioned strength is 181 police per lakh persons. After adjusting for vacancies, the actual police strength in India is at 137 police per lakh persons.

- **Crime investigation and Underreporting of crime in India**

In 2015, the conviction rate for crimes recorded under the Indian Penal Code, 1860 was 47%.¹⁹ The Law Commission has observed that one of the reasons behind this is the poor quality of investigations.

- **Poor Police infrastructure**

Modern policing requires a strong communication support, state-of-art or modern weapons, and a high degree of mobility. The CAG has noted shortcomings on several of these fronts.

- **Police-Public relations**

Police requires the confidence, cooperation and support of the community to prevent crime and disorder. A police-public relation is an important concern in effective policing. The Second Administrative Reforms Commission has noted that police-public relations is in an unsatisfactory state because people view the police as corrupt, inefficient, politically partisan and unresponsive.

Directions of the Supreme Court in Prakash Singh vs Union of India

In 1996, a petition was filed before the Supreme which stated that the police abuse and misuse their powers. It alleged non-enforcement and discriminatory application of laws in favour of persons with power, and also raised instances of unauthorised detentions, torture, harassment, etc. against ordinary citizens. The petition asked the court to issue directions for implementation of recommendations of expert committees.

In September 2006, the court issued various directions to the centre and states including:

- Constitute a State Security Commission in every state that will lay down policy for police functioning, evaluate police performance, and ensure that state governments do not exercise unwarranted influence on the police.
- Constitute a Police Establishment Board in every state that will decide postings, transfers and promotions for officers below the rank of Deputy Superintendent of Police, and make recommendations to the state government for officers of higher ranks.
- Constitute Police Complaints Authorities at the state and district levels to inquire into allegations of serious misconduct and abuse of power by police personnel.
- Provide a minimum tenure of at least two years for the DGP and other key police officers within the state forces
- Ensure that the DGP of state police is appointed from amongst three senior-most officers who have been empanelled for the promotion by the Union Public Service Commission on the basis of length of service, good record and experience.
- Separate the investigating police from the law and order police to ensure speedier investigation, better expertise and improved rapport with the people.
- Constitute a National Security Commission to shortlist the candidates for appointment as Chiefs of the central armed police forces.

Why is that urgency in implementing Police Reforms?

As India makes rapid advances towards becoming an economic and political superpower, our police cannot continue to remain frozen in the frame of a past era.

- The avalanche of social and technological changes fuelled by the internet and the new social media are fast changing the nature, intensity and the reach of crime leading to unprecedented lawlessness and frightening dimensions of global terrorism.
- There is an urgent need to strengthen our Criminal Justice System and our grassroots level policing institutions;
 - to prepare our police to deal with the present and emerging challenges and
 - Strengthen its investigative capabilities and emergency response infrastructure.
- Traditional and linear devices used in the past towards police reform may not be sufficient.
- Considering the multiple causes and their complex interdependencies associated with today's policing issues, there is a realization that these challenges require broader, more collaborative and innovative approaches and would involve a range of coordinated and interrelated responses.

It was in this context that the Indian Police Foundation and Institute was established, bringing together the multiple stakeholders to collectively work for reform and modernization of the police. However this could form only part of the solution.

Way forward

Political authorities still have a stronghold over the police and frequent changes of Police heads once a new government is elected has become a practice in many states. The result is that the police even today are not trusted by the people. They perceive the force as being partisan, politicised, and generally not very competent.

Much of the problem would not have been if the 2013 Lokpal legislation was put in place. The Lokpal would have the powers to oversee the CBI's work and would ease the burden of the court.

This nationwide campaign for transformation needs to be driven by our police leadership itself with the support and patronage of all stakeholders, including the Central and State Governments.

Ultimately, it is only strong public opinion that can move the political class to implement the 2006 directives. But the police have to set examples to win public trust. Reform must start at home. The Political class should take bold initiatives to bring in more reforms in the existing policing system in India. The need is to have an impartial and professional police force because the criminal justice system cannot function without a healthy police and investigative agency.

Conclusion

The transformative reforms in the Indian Police is possible through appropriate interventions in skill building and attitudinal training, through reforms that are both bold and practical, and through collective action of all stakeholders to drive a nationwide campaign for change, keeping in mind, the difficult conditions under which our police functions.

06/10 - Coal-fired projections: on the draft energy policy

Context:

The NITI Aayog's Draft National Energy Policy (DNEP) predicts that between now and 2040, there will be a quantum leap in the uptake of renewable energy together with a drastic reduction in fossil fuel energy intensity.

Because of economic and population growth, India's annual per-capita electricity consumption is expected to triple, from 1075 kWh in 2015-16 to over 2900 kWh in 2040.

The DNEP assumes 100% electrification throughout India in the near term and steadily improving energy efficiency. However, in addition to DNEP guidelines several critical issues involved in the on-going energy transition need to be taken into consideration.

Introduction

Energy is acknowledged as a key input towards raising the standard of living of citizens of any country, as is evident from the correlation between per capita electricity consumption and Human Development Index (HDI). Accordingly, energy policies of India have over the years directly aimed to raise per capita energy consumption, even while the

main focus of the country's development agenda has been on eradication of poverty. While India strives to achieve a double digit growth rate in its national income, it is equally important that clean energy is available to all the citizens.

The NEP draft comes at a time when the energy sector is seeking clarity. In the face of claims of surplus power, even as rampant energy poverty continues to plague the country, the sector needs clear signals of the future pathways.

What is the aim of recent National Energy Policy?

The intention of the National Energy Policy is to present a broad framework for the overall energy sector, taking into account the multiple technology and fuel options. The National Energy Policy (NEP) aims to chart the way forward to meet the Government's following bold announcements in the energy domain.

- All the Census villages are planned to be electrified by 2018, and universal electrification is to be achieved, with 24x7 electricity by 2022.
- The share of manufacturing in our GDP is to go up to 25% from the present level of 16%, while the Ministry of Petroleum is targeting reduction of oil imports by 10% from 2014-15 levels, both by 2022
- INDC (Intended Nationally Determined Contributions) target at reduction of emissions intensity by 33%-35% by 2030 over 2005.
- achieving a 175 GW renewable energy capacity by 2022, and share of non-fossil fuel based capacity in the electricity mix is aimed at above 40% by 2030

In the light of the energy challenges faced by the country, and the global energy related developments, the NEP proposes to set out the national energy objectives and the strategy to meet them. There are four key objectives of National Energy Policy. However, these four goals may or may not move in harmony with one another.

- Access at affordable prices,
- Improved security and Independence
- Greater Sustainability and
- Economic Growth.

While steps have already been taken by the Government to embed many such developments in the sectoral energy policies, however, it is desirable to develop a clear roadmap so that there is clarity amongst all the stakeholders on the Government's long-term energy agenda.

What are the issues with the draft?

Regarding Coal Energy:

Despite the fact that existing coal plants are running at low efficiencies, the DNEP relies on coal power to sustain the nation's base load requirement to meet rising energy demand. It proposes that coal will fuel 67% of India's power generation in 2022.

- The first anomaly is that while India claims it will make a big push for renewables, it will continue to rely on coal for its base load generation.
- This is in direct conflict with the declared twin goals of sustainability and comes ironically at a time when solar and wind tariffs appear to be reaching historic new lows.
- The NITI Aayog also forecasts that "our coal industry will emerge as an exporter of coal" in the backdrop of the shocking drop in demand for coal from most industrialised.
- The DNEP does not say what would be the fate of new allottees of coal mines which have bid aggressively and won rights to mine coal for captive power generation.
- Generation of power is licence free under the Electricity Act of 2003, so private miners do not need any licence to set up generating plants. All they need is a connection to the grid. Since the grid is State-owned, the Central government has adequate leverage to defer or delay connections.

In the past three years, with slow industrial growth, independent coal producers have been faced with reduced demand for their power. Power plants, both public and private, have been running at merely 60% plant load capacity utilisation.

The conventional power industry already suffers a high level of bank loan defaults, insolvency and other legal proceedings. It is not surprising that new energy investors are crowding the nascent solar space.

Regarding Electric Vehicles

- The DNEP fails to highlight the gradual substitution of internal combustion engines with electric vehicles. Several European nations have announced their plans to go for 100% electric vehicles in the next two decades.
- This transformation in the automobile sector could be accompanied by grid- and consumer-level electricity storage at homes, offices and factories.

While storage and electric vehicles are cursorily mentioned, the DNEP does not focus on these crucial subjects.

Regarding Oil resources

The DNEP acknowledges that India's oil consumption has grown 63% from 2005 to 2016 whereas refining capacity has grown only 15%. Gas consumption has increased 38% while production has actually fallen since 2012.

- India's energy security does require a large strategic storage of oil to take care of any vagaries in its international supply chain.
- India has been building up its stored reserves while international oil prices have dropped in the past couple of years. But the strategic storage of oil does not tackle the problem of high dependence on oil.
- The peaking of India's oil demand could have been envisaged but has not been identified in the DNEP.
- On the one hand, the draft policy recognises that by 2040, India's oil import dependence may reach 55% from the current level of 33%. On the other hand, it offers nothing to curtail such dependence.

All that the DNEP offers is to promote use of public transportation and railways to reduce oil consumption. Unless electric transport is carefully planned, India's dependence on imported oil is likely to continue.

Way forward

The drafting committees need to examine the paradigm shifts occurring in storage and electric vehicles to promote new technologies in renewable energy, such as smart grids, smart homes, battery storage and concentrated solar heat and power.

Energy efficiency, which entails using less energy for the same service, is an important element in energy policy. For instance, the recent campaign by the government to replace regular bulbs by LED bulbs has the potential to reduce energy load.

India has also missed opportunities in the manufacturing of equipment. New institutions, organisations and funding mechanisms for promoting renewable technologies need to be created not later than this year's end.

07/10 - Does India need a bullet train?

Context:

Prime Minister and his Japanese counterpart jointly laid the foundation stone of the country's first bullet train project using Japanese 'Shinkansen' technology between Ahmedabad and Mumbai which costs \$19 billion. The train will cover a distance of over 500 kilometres in around two hours. The project is expected to be completed by 2022. Japan has extended a soft loan for the project through Japan International Cooperation Agency (JICA).

The construction of the corridor will begin in 2018 and is expected to be completed by 2023. The 508 km long Mumbai-Ahmedabad high-speed rail corridor will cover 12 stations and will have a 21 km tunnel under the sea.

The 'Vision 2020' document presented by former Railway Minister to Parliament also speaks of HSR. In 2012, the High Speed Rail Corporation was set up. In May 2013, during former Prime Minister's visit to Japan, it was decided that the two countries would co-finance a joint feasibility study for the Mumbai-Ahmedabad high-speed corridor.

The general reaction has been: does India really need bullet trains that come at such an exorbitant cost, when the same money can be used more judiciously for improving the existing infrastructure?



Why do we need such a capital-intensive project when many other pressing issues need resources?

India's pioneering 500-km 'bullet' train corridor between Mumbai and Ahmedabad, being executed in collaboration with Gujarat and Maharashtra. Japan's offer of the \$12 billion assistance at highly concessional terms is not transferable to other rail projects.

- A few selected high-density HSR corridors are adequately justified for a mature mobility mix and for the country not to be left out of essential technology upgrade especially for vast country like India.
- As a McKinsey Global Institute report suggests, by 2025, the number of households earning ₹2,00,000-₹10,00,000 annually will have risen to 583 million from the current 50 million. More intensive urbanisation as well as rising incomes would lead to higher travel tendency.
- Energy-efficient HSR (High Speed Rail) technology could become an alternative to depleting fossil fuel reserves, climate change, overcrowded airports, delayed flights and congested roads.
- Massive saving of foreign exchange for the country as trains will use the electricity rather than the costly air-grade fossil fuel used in aircraft which has to be imported.
- Providing services from and to city centres, HSR serves important centres en route, providing value for time through express and easy access to tier-II and tier-III cities.
- In India, uproar constantly increases for passenger trains providing hassle-free, speedy, safe, reliable and comfortable travel. Providing high frequency, up to 14 trains per hour, the Shinkansen ever since its inception in 1964 has maintained a unique record of no fatal accident.
- Already, Indians are travelling more; they are travelling longer. By 2020-21, Indians will travel on average thrice as much as they travelled in 2000-01.
- There are a lot of commercial and industrial establishments in this region. As a result, this sector witnesses busy passenger traffic through the year.
- HSR could be used as de-congestion of metropolitan cities as traffic will be diverted from road to rail.

For high density routes of 200-800 km, airlines cannot match HSR in terms of total journey time inclusive of first/last-mile connectivity with airports/stations and ancillary security checks, etc; below 200 km, road transport has an edge; beyond 800 km, air option is better placed.

Other benefits of HSR

- It will increase investment in infrastructure, ignite the economy, and create jobs. The project will strengthen the Make in India initiative as large number of employment opportunities will be created in the country.
- Bring down the transportation time and cost to lowest in the world. It will bring-in massive efficiency in Indian economy.
- Build a local base for the next generation of the railway locomotives for export.
- Indian logistics cost will significantly come down, as of now it is thrice of China
- It will make Indian exports and manufacturing cost competitive. Indian Human Resource coupled with Japanese skill and technology, will make India a manufacturing hub of the world.
- Land requirements are small.
- Accelerate scientific research within the country in high-end material science and magnetic science.
- The bullet train will not only bring about economic transformation but will also lead to social transformation of the country.
- India will have strong integration across regions, bringing down the regional differences and increasing people-to-people contact.

There is no denying that the present infrastructure of the Railways should be strengthened to avert accidents. At the same time, we cannot ignore that India is a vast country and the need to travel faster has become a necessity. High speed rail corridor will give a new momentum to the development of New India.

What should government do to overcome the challenges to HSR in India?

- Transfer of Technology from Japan and Local manufacturing industrial base
- Perform more frequent inspection to ensure high confidence of safety at high-speed.
- Dual usage for both passenger and cargo.
- Manpower development.
- Avoid cost overruns in the future.
- Should take initiatives to garner more ridership into HSR.

Way ahead

Till now there are 15 countries worldwide in the exclusive high-speed rail fraternity. Calling **Shinkansen bullet train** as one of the safest train networks in the world, he said Japan will share with India the expertise of safe transport which will help the entire Indian rail network.

It is unfortunate that despite being the third largest railway network in the world, in terms of kilometres of track and the number of passengers who travel, India does not have a single high-speed corridor. Till now there are 15 countries worldwide in the exclusive high-speed rail fraternity.

While air transport can cater to such needs, the capacity that it offers simply cannot match that of the railways. While making incremental changes to improve existing infrastructure is desirable, it is equally important to adopt proven state-of-the-art technologies.

An elevated corridor that allows trains to run at three times the speed of existing trains will usher in a new era for the railways in India. The cost for laying this railway line may look excessive, but the benefits that are going to accrue from it are worth the cost. Apart from reducing the commuting time, it will also lead to an increase in the passenger-carrying capacity.

While any change which appears disruptive is likely to be opposed, it is more important to consider the overall long-term benefits, resulting from the high speed rail project

09/10 - Tri-service integration or consolidation?**Context:**

While India aspires to jointmanship (conducting integrated military operations with a common strategy, methodology) among the three services, statements over the last few weeks point disturbingly to renewed inter-service rivalry to protect their turf.



Cautioning against the duplication of assets by the three services, Vice-Chief of Air Staff Air Marshal said that jointmanship among the services was not just about joint operations but also about the optimal use of resources.

“Ours is a growing country and our budget is limited. We cannot afford duplicating capabilities. We cannot have an Air Force with the Army, an Air Force with the Navy and another Air Force,” said Air Marshal in one recent seminar.

His comments are significant against the backdrop of the government sanctioning six AH-64 Apache helicopters for the Army, something the service has been seeking for a while. At the same time the Navy is expanding its fighter strength though the carriers to operate them would accommodate less. In addition, Army Chief General recently called for the primacy of the Army in a tri-service environment.

Introduction:

An expert committee appointed by the Defence Ministry recommended steps to enhance the combat potential of the armed forces and to re-balance defence expenditure, submitted its report in January.

The committee, which was headed by Lt General DB Shekatkar (retd) has recommended the creation of three integrated theatre commands — northern for the China border, western for the Pakistan border and southern for the maritime role — instead of the 17 in place currently.

What is an integrated theatre command?

An integrated theatre command envisages a unified command of the three Services, under a single commander, for geographical locations that are of security concern.

- The commander of such a force will be able to bring to bear all resources at his disposal — from the IAF, the Army and the Navy — with seamless efficacy.
- The integrated theatre commander will not be answerable to individual Services, and will be free to train, equip and exercise his command to make it a cohesive fighting force capable of achieving designated goals.
- The logistic resources required to support his operations will also be placed at the disposal of the theatre commander so that he does not have to look for anything when operations are on-going.

This is in contrast to the model of service-specific commands which India currently has, wherein the Army, Air Force and Navy all have their own commands all over the country. In case of war, each Service Chief is expected to control the operations of his Service through individual commands, while they operate jointly.

Does India have an integrated theatre command anywhere in its area?

India has only one integrated theatre command, which is the Andaman and Nicobar Command (ANC).

- It was formed in 2001, following the Group of Ministers' report on national security, after the Kargil War.
- It is a very small command, with limited resources, and there has been a demand to revert the control of command permanently to the Navy.

The other tri-service command, *the Strategic Forces Command (SFC)*, looks after the delivery and operational control of the country's nuclear assets.

- It was created in 2003, but because it has no specific geographic responsibility and a designated role, it is not an integrated theatre command but an integrated functional command.
- There has been a demand for other integrated functional commands, such as the cyber, aerospace and Special Operations commands, but the government is yet to approve any.

But how is "jointness" among services different from integrated commands?

Jointness means that while the 3 Services progress and develop in their respective spheres, maintaining their independent identity, they function together — and so coordinate their operations in war as to achieve the best results.

Integrated commands, on the other hand, seek to merge individual Service identities to achieve a composite and cohesive whole. It implies enmeshing the three Services together at different levels and placing them under one commander for execution of operational plans.

Army wants its supremacy in a joint services environment

Army Chief General gave a glimpse into his idea of tri-service integration when he said that the "supremacy and primacy of the Army in a joint services environment" should be maintained.

The question which arises is, will these developments unleash another round of inter-service turf war and further delay several important decisions on tri-service integration such as the Chief of Defence Staff (CDS), specialised commands for cyber, space and Special Forces?

The comments also come shortly after the Union Cabinet had cleared 65 of 99 recommendations, all related to the Army, of the Lt General D.B. Shekatkar Committee for enhancing combat capability and rebalancing defence expenditure of the armed forces to increase the teeth-to-tail ratio (that is, ratio of combatants to soldiers in support roles).

The remaining 34 recommendations pertaining to the tri-services, in addition to the Navy and Air Force, are to be taken up soon. Among them is a proposal on the appointment of a single point military adviser to the Prime Minister on strategic issues.

Need for Chief of Defence Staff

The last time India fought a major battle was the Kargil conflict in 1999 in which the Navy played a silent role while the Army and Air Force collaborated to expel intruders from Indian soil.

The lessons learnt then prompted the K. Subrahmanyam Committee to propose having a CDS for the first time. But with the latest comments, it appears that the other services would oppose the proposal for a CDS tooth and nail.

India has traditionally been a land power because the primary threats are still on land, from the northern and western borders. But the threat matrix has changed since 1947 and the Indian Ocean region is fast metamorphosing into a major arena of friction, with increasing forays by the Chinese Navy and building up of regional navies with help from China.

Also, while the threat of war stills exists in the subcontinent under the nuclear overhang, the room for large conventional manoeuvres is over. In a conflict situation, what would unfold are short and swift skirmishes which call for agility and swift action by the three services in harmony.

Way forward

After much deliberation, the consensus has turned towards a Permanent Chairman Chiefs of Staff Committee (CoSC), a four star officer equivalent to the three service chiefs, while ideally what the country needs is a full-fledged five star officer. The four star officer would serve no real purpose except adding to the already existing protocol nightmare and complicating the situation further.

The Defence Ministry is yet to form a view on the subject. But experience from the US, Russia and China shows that the decision to create integrated theatre commands will have to be a political one, which will then be executed by the defence services.

A precursor to the creation of integrated theatre commands has to be the appointment of a Chief of Defence Staff or Permanent Chairman, COSC. This was first proposed by the GoM in 2001, but hasn't been implemented so far. Even the last Combined Commanders Conference at Dehradun in February, chaired by the Prime Minister, was inconclusive on the subject, with a consensus on taking the proposal forward.

The recently released 'Joint military doctrine of the Indian armed forces 2017' made the right noise on "jointness" and "integration", but much work is needed on the ground to achieve desired goal.

10/10 - Navigating a changing world

Context:

The 14th annual Summit between India and the European Union (EU) was held in New Delhi on 6th October 2017. The Republic of India was represented by Prime Minister. The EU was represented by President of the European Council, and President of the European Commission.

The India-European Union trade pact, the Broad-based Trade and Investment Agreement (BTIA), have not progressed during the 14th India-EU Summit is a sign that both sides continue to recalibrate their bargaining power and understanding of their relative positions on the international stage.

Nevertheless, there are some important positive outcomes of these interactions, which go beyond just trade. The very fact that the two sides are talking and working together in several areas is significant.

Introduction:

India and the EU have been strategic partners since 2004. The 14th annual Summit between India and the European Union (EU) was held in New Delhi. The two sides reviewed a full spectrum of their ties at the 14th summit with a focus on ramping up two-way trade and investment.

The leaders reviewed the wide-ranging cooperation under the India-EU Strategic Partnership. Recognising that India and the EU are natural partners, the leaders reaffirmed their commitment to further deepen and strengthen the India-EU Strategic Partnership based on shared principles and values of democracy, freedom, rule of law and respect for human rights and territorial integrity of States.



Changing environment in EU since Brexit

Much has changed for the EU since the last summit held in Brussels in 2016: Brexit; several key elections, including in France and Germany; and visible rifts between eastern and western European countries on what core EU values are and should be. The inauguration of new presidency in U.S. and consequent retreat of America from its leadership role in the West has provided a significant external stimulus to the EU's identity shift.

Outcomes of 14th annual Summit between India and the European Union

EU leadership referred to India and the EU as being the “world's largest democracies”. This projection as one of the world's largest democracies, which happened at the end of last year's summit as well, is more notable this time in light of the U.S.'s uncertain position on the international stage and the fact that pro-EU leaders such as French President have been pushing for a stronger union in Europe as Britain leaves the EU.

- India and the EU reaffirmed their commitment to a “rules-based” international order and a “multipolar” world. This is significant in the context of the U.S. moving towards back out on several international deals. For instance, decertifying the nuclear deal with Iran- a deal that the EU is keen to uphold and US intent of withdrawing from the Paris accord.
- The reference to multipolarity is recognition that there is more than just one chair at the top table, not just with the U.S.'s shifting position but also due to Russia and China's ascent.
- EU and India welcomed the growing convergence on contemporary global issues and agreed to enhance India-EU cooperation in all multilateral fora.
- The leaders confirmed their commitment towards conflict prevention and sustaining peace as fundamental aspects of promoting security and prosperity.
- The India-EU joint statement on terrorism this year called for “decisive and concerted actions” against Hafiz Saeed, Dawood Ibrahim, Lashkar-e-Taiba and other sources of terror. This will further bolster India's efforts to call out Pakistan on the issue of sponsoring terror and the EU itself has been no stranger to terrorism these last few years.
- The two sides expressed support to the Government and the people of Afghanistan in their efforts to achieve an Afghan-led and Afghan-owned national peace and reconciliation.
- They welcomed the India-EU Dialogue on Counter-Terrorism. They also emphasised the need to deepen cooperation within the UN and the Financial Action Task Force (FATF).
- The leaders reaffirmed their commitment to an open, free, secure, stable, peaceful and accessible cyberspace, enabling economic growth and innovation.
- India and the EU reaffirmed their commitment to enhance maritime security cooperation in the Indian Ocean and beyond. Both sides noted the recent joint manoeuvres (PASSEX) between the EU Naval Force and the Indian Navy off the coast of Somalia, as a successful example of naval cooperation.
- The EU looks forward to India's possible participation in escorting World Food Program vessels in the near future.
- Both leaders attached importance to the security, stability, connectivity and sustainable development of Oceans and Seas in the context of developing the “blue economy”.
- India and the EU reiterated the importance they attach to human rights cooperation, including on gender equality and women empowerment in all spheres of life.
- India and the EU agreed to strengthen cooperation in skills development and agreed to find complementarities and synergies between India's Skill India initiative and the EU's New Skills Agenda for Europe.

Talking of trade

The centrepiece of the recent summits, the BTIA (India-European Union trade pact) has not progressed during the 14th India-EU Summit.

- Among the reported causes for the failed talks is a disagreement on whether the protection of foreign investments will be part of the BTIA or dealt with in a stand-alone treaty.
- Other important points in the negotiations have been India wanting a greater ease of movement of temporary skilled workers to provide services in the EU and the EU wanting greater market access for its automobiles and its wines and spirits.

The EU and other developed countries have been historically reluctant about moving forward on this and the issue has become more challenging with the rise of populism and protectionism in Europe.

- The movement of skilled workers from India to developed countries is made difficult with barriers to overcome in terms of salary thresholds, recognition of qualifications, visa fees, social security and so forth.

Another issue holding up the trade talks has been the EU not granting “data secure” certification to India — a condition that facilitates the cross-border transfer of personal data, key to a number of companies’ services, especially in the IT industry.

- India does not have a stand-alone data privacy law On the other hand, the EU is, commendably, at the forefront of protecting citizens’ rights as regards what happens to their data online.
- It will be no easy task for the government to align its laws to a standard required by the EU to get the appropriate certification.
- It would certainly affect consumer rights and privacy standards in the digital age if India were to adopt and implement strict standards for handling data, an outcome desirable in itself.

Why is it significant for India to maintain strong relationship with EU?

India and the EU should continue to welcome each other’s leadership roles in the world, primarily because of commonly shared values. The fact that the EU is India’s largest trade partner and it is also, like India, wary of China’s political and economic dominance. The summit declaration makes a reference to freedom of navigation principles.

The EU is concerned about China flooding global markets with inexpensive steel and its response to China’s Belt and Road Initiative has been half-hearted. But the strength of China’s relationship with EU member states themselves is heterogeneous, with China trying to make inroads into Eastern and Central Europe through infrastructure investments.

This makes it vital for India to cement its bonds with the EU further.

Way forward

Launched in June 2007, the negotiations for the proposed EU-India Broad-based Trade and Investment Agreement (BTIA) have witnessed many hurdles with both sides having major differences on crucial issues such as intellectual property rights and duty cut in automobile and spirits.

With around €100 billion in bilateral goods and services trade last year, India and the EU have a lot to gain from a trade deal. But the sands are shifting; both in Europe and the world, and spaces and opportunities for leadership and partnership are opening up. It will certainly pay for both India and the EU to keep each other close as they feel their way around the emerging international order.

Conclusion

India and the EU should continue to welcome each other’s leadership roles in the world, primarily because of commonly shared value.

With the liberal global order under attack by alt-right politics and divisive forces, India and the EU can blend their strengths to champion a new narrative for open societies and inclusive globalisation. In a world where division is increasing, India and the EU need to focus on what we have in common. Both India and EU stand for freedom, democracy and a credible rules-based global order. Both should hope to build a strong strategic partnership on this good foundation.

11/10 - At Bonn, stay the course

Context:

Between November 6 and 17 this year, world leaders, delegates from various countries and others from business, along with media and other representatives of civil society will gather at Bonn for the 23rd Conference of Parties (COP-23) of the United Nations Framework Convention on Climate Change (UNFCCC).

The meeting will primarily concentrate on various aspects associated with the implementation of the Paris Agreement (PA), which was negotiated at COP-21 and entered into force, or became legally binding, on November 4, 2016.

Introduction:

The UN Climate Change Conference – COP 23 will take place at the World Conference Centre Bonn (WCCB) in Bonn, Germany and will be presided over by the Government of Fiji. It is fitting that a Pacific island nation chairs this year's COP as the very existence of low-lying islands is threatened by sea level rise due to climate change.

The following bodies will be included in session according to UNFCCC:

- The Conference of the Parties (COP 23);
- The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 13);
- The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA 1.2);
- The Subsidiary Body for Implementation (SBI 47) – supports the work of the three bodies through assessment and review.
- The Subsidiary Body for Scientific and Technological Advice (SBSTA 47) – assists on science and technology.
- The Ad Hoc Working Group on the Paris Agreement (APA 1.4) – tasked with important issues such as NDCs, adaptation, transparency, and global stocktake

The decision-making bodies for the Convention, the Kyoto Protocol and the Paris Agreement are the COP, the CMP and the CMA, respectively.

What are the different issues that will be covered in COP23?

The meetings in Bonn will cover a wide range of issues, including

- Adjusting to living in a warmer world with the associated impacts – known as adaptation to climate change and reduction in greenhouse gases – referred to as mitigation.
- They will also include sessions on loss and damage, or the means of addressing economic and non-economic losses and potential injury associated with climate change.
- The discussions will be about the implementation of targets that were decided by each country ahead of the Paris meeting, referred to as the nationally determined contributions (NDCs), and the finance, capacity building and technology transfer required by developing countries from rich nations.

Must embrace the Paris Agreement's ambitious target of limiting warming to 1.5 degrees Celsius

The Paris Agreement calls for concerted action to hold the increase in global average temperature to less than 2 degrees Celsius above the pre-industrial levels. The fact is that change is occurring at a faster rate than we believed when the Paris Agreement was forged. That means that we must embrace the Paris Agreement's more ambitious target of limiting warming to 1.5 degrees Celsius and achieving net-zero greenhouse gas emissions by 2050 at the latest. This required renewed understanding of the policies and actions required to stay within a lower target.

- Half a degree reduction may seem really small, but in terms of the impacts on ecosystems, geophysical cycles and diverse life forms on earth, this is a substantial difference.
- The Intergovernmental Panel on Climate Change (IPCC) has therefore undertaken the task of preparing a special report on the impacts of a warming of 1.5°C above pre-industrial levels and the global response needed to achieve these.
- The limiting warming to 1.5°C is not yet a geophysical impossibility. But this requires continuing to strengthen pledges for 2030, deepening the mitigation targets rapidly and deeply, and based on the current conditions in global discussions and national targets.

Article 14 of the Agreement provides the details on the targets, taking stock and reviewing them and the progress made towards long-term goals.

- The first such stock-taking covering all aspects such as mitigation, adaptation communications, and support for implementation is expected to take place in 2023, but meetings to prepare for this have already begun and have to conclude by 2018.
- Adaptation is increasingly also expected to become central at the COP meetings, which for the most part have focussed on mitigation. Mitigation addresses the causes of climate change (accumulation of greenhouse gases in the atmosphere), whereas adaptation addresses the impacts of climate change.

What are challenges ahead to COP23?

This is the first COP after the United States pulled out of the Paris Agreement and the implications of this at a global platform are likely to become more evident.

Several states and cities within the U.S. along with thousands of businesses and celebrities have used this chance to initiate voluntary actions across the country. America's Pledge, an initiative that is expected to report on the efforts of U.S. states, and sub-state entities to reduce greenhouse gas (GHG) emissions and the Regional Greenhouse Gas Initiative (RGGI) of the nine north-eastern states has proposed another 30% drop in power plant emissions from 2020 to 2030.

Moreover, it has been reported that a U.S. delegation will in any case attend the Bonn COP and all Paris agreement related meetings until 2020, while other major signatories have reaffirmed their commitment to the Paris agreement.

- Nevertheless, there is speculation whether the formal withdrawal of the U.S. would alter the stance taken by Europe, Australia, and large countries at the COP and what role, if any, the U.S. would play behind the scenes.
- According to earlier reports from the UN and other groups, the NDCs, when added up, fall short of what is needed to keep global temperature rise below 2°C and will likely take us about a degree higher.
- Further, most NDCs are conditional — they depend on financial and technological support from rich countries for their full implementation.
- Carbon dioxide and methane are increasing faster than a decade ago and that efforts being made now at the global and state levels are not enough. It is also evident that the political conditions prevalent today are less favourable to renegotiate the Paris Agreement.

Since the planet and its inhabitants will still have to deal with the impacts of climate change, our only hope is to see a greater readiness on the part of all nations to compromise on their erstwhile hard positions, and sincerity to make progress in reducing emissions and building climate resilience in their development.

Way forward:

The meeting in Bonn comes at a time when it is no longer sufficient to maintain the momentum. A call on governments at all levels, NGOs, the scientific community, the business community, labour organisations and all of civil society to join at COP23 in a grand coalition is the need of the hour to save our Earth and the people and other living things that call it home.

12/10 - Is 'deep sea fishing' the silver bullet?

Context:

On September 8, the Tamil Nadu Fisheries University (TNFU) organised a one-day workshop in Chennai on deep sea fishing. The importance of deep sea fishing to fully exploit the fishery resources and increase the capture fish production was discussed. Proponents of deep sea fishing argue that the lure of better catch in far-off seas and avoiding the risks of cross-border fishing in Sri Lankan waters will ensure its success.

Earlier, The Sri Lankan Parliament unanimously passed an Amendment to the Fisheries and Aquatic Resources Act on July 6 that declared the method of fishing by bottom trawling an offence. It is aimed at curbing local trawlers as well as trawlers from Tamil Nadu.

Introduction

Deep sea fishing has been an integral part of the country's Blue Revolution vision to exploit fishing resources to the maximum within the 200 nautical mile exclusive economic zone (EEZ). One day workshop was organized on Deep sea fishing with an aim to promote deep sea fishing as an alternative to trawling in the Palk Bay.

What is the issue with Bottom trawling?

Bottom trawling, an ecologically destructive practice, involves trawlers dragging weighted nets along the sea-floor, causing great depletion of aquatic resources. Bottom trawling captures juvenile fish, thus exhausting the ocean's resources and affecting marine conservation efforts. This practice was started by Tamil Nadu fishermen in Palk Bay and actively pursued at the peak of the civil war in Sri Lanka.

The Palk Bay fishing conflict has figured prominently in high-level meetings between India and Sri Lanka. The Joint Working Group on Fisheries was formed by the two countries in November, 2016 to discuss the prolonged issue. But

Sri Lankan fishermen wanted an immediate end to incursions by Indian trawlers, which resulted into amendment to the Fisheries and Aquatic Resources Act by Sri Lankan parliament. Also its navy has been vigilantly patrolling the International Maritime Boundary Line, 'capturing' Indian trawl boats and fishers.

India's deep-sea fishing plan

The solution to bottom trawling issue lies in transition from trawling to deep-sea fishing.

- The activity of catching fish that live in the deep parts of the sea/ocean is called deep-sea fishing.
- The boats are designed in such a way that fishermen get access to the deeper parts of the ocean and fish species.
- It is practiced worldwide, especially in the coastal areas with no ecological damage.
- The depth of water should be at least 30 meters to be considered a deep sea fishing zone.

The deep sea fishing plan aims at promoting deep sea fishing as an alternative to trawling in the Palk Bay. Prime Minister formally launched the project to promote deep-sea fishing among Ramanathapuram fishermen.

- The Central and Tamil Nadu governments plan to provide 500 deep-sea fishing boats with long lines and gill nets this year as part of a plan to replace 2,000 trawlers in three years.
- The time period for this transition is three years (2017-2020).
- Each vessel will be fitted for tuna long-lining and/or gillnetting, and have a unit cost of ₹80 lakh.
- Of this unit cost, trawl owners have to only pay ₹8 lakh upfront and ₹16 lakh through a loan from the Pandyan Grama Bank. The balance ₹56 lakh will be a subsidy shared by the State and Central governments.
- The government plans for creating a fisheries industrial estate for which 500 acre land has been identified in Nagapatinam.

What are the obligations to beneficiaries under Deep Sea fishing plan?

The Deep Sea fishing plan is to remove as many trawl vessels from the Palk Bay as possible.

- Potential beneficiaries of the deep sea fishing project should possess a registered, seaworthy trawl vessel of over 12m in length that must be scrapped or disposed of outside the Palk Bay.
- The disposed vessel should also have been physically verified.
- Equally important, new replacement tuna long liner boats cannot trawl or operate in the Palk Bay.
- The government is now creating a new deep sea fishing harbour at Mookaiyur, located just south of the Palk Bay in the Gulf of Mannar, where many of these vessels are likely to be berthed.
- Priority is to be given to owners who have had their boats apprehended or damaged in Sri Lanka.
- Beneficiaries are not allowed to sell their boats within five years of obtaining them.

What are the concerns raised by many?

- There is a need of clarity on sufficient stocks of fish in the adjacent waters of the Bay of Bengal and Gulf of Mannar to make deep sea fishing economically viable for a large and new fleet of vessels
- The Indian government *report of the Working Group for Revalidating the Potential of Fishery Resources in the Indian EEZ* suggests that oceanic regions have a maximum potential yield of 208,000 tonnes. However, it does not state where the remaining oceanic stocks exist.
- Moreover, the report warns that oceanic resources are transboundary and hence are targeted by a number of other countries too.
- Limited skills of fishermen and their interest for deep sea fishing is a cause of concern.
- Doubts about the high operational costs of deep sea fishing and the loan repayment schedule imposed by the Bank.

The Need of the hour

Whether deep sea fishing will reduce the Palk Bay fishing conflict depends entirely on the downsizing of the existing trawl fleet.

- Rules on paper should be followed strictly.

- The government will have to ensure that remaining vessels are not upgraded in size or engine horsepower, as many trawl owners in the Palk Bay have been increasing their engine capacities secretly, well beyond legal limits.
- The Tamil Nadu Fisheries Department should increase its capacity to monitor, control and carry out surveillance (MCS) of the process of decommissioning.

The authorities have taken note of training needs and are setting up special facilities in collaboration with the TNFU and the Central Institute of Fisheries Nautical and Engineering Training.

Conclusion

The Palk Bay conflict requires a multi-dimensional approach. The government should involve in developing a comprehensive fisheries policy to benefit all stake holders in fisheries.

Various other solutions such as buy-backs, alternative livelihoods and skill development need to be rolled out with a simultaneous focus on a strong MCS system.

13/10 - The will to die — on 'living wills'

Background:

The Chief Justice, heading a five-judge Constitution Bench, was responding to a debate on when exactly a person's 'Living Will' or advance directive for end-of-life medical care should take effect.

The court is hearing a petition by NGO Independent Thought to legalise euthanasia and the concept of 'Living Will'.

Bench says it would lay down guidelines for drafting living wills and how it can be authenticated. It has reserved the case for judgment.

Earlier, India has taken the stance of not allowing active euthanasia (where a life ends through the administration of lethal substances). However, it does allow "passive euthanasia" where life support is withdrawn for patients in permanently vegetative state.

What is Living Will?

A living will is a concept associated with passive euthanasia. It is a legal document which allows you to express your wishes to doctors in case you become incapacitated. In a living will, you can outline whether or not you want your life to be artificially prolonged in the event of a devastating illness or injury.

When does Living Will come into play as per five judge constitutional bench?

The bench said the living will come into play only after a statutory medical board gives nod.

- A person's advance direct veto withdraw medical care to allow him to die with dignity should take effect only when a medical board affirms that his condition is beyond cure and irreversible.
- The board must declare that s/he has slipped into a condition that would inevitably and irreversibly lead to end of life.
- If the board says that s/he could be revived from an apparent hopeless medical condition, the living will would not be taken into account

A certificate from a statutory medical board that a patient's condition was beyond cure and irreversible, may relieve the close family members and caregivers of a terminally ill patient of the moral burden of making a life-ending decision.

How does an authority ascertain the condition of Living Will?

While reserving its verdict, the court has indicated that it may lay down comprehensive guidelines on operationalizing the idea of living wills. It is suggested framing guidelines to the tune that there should be medical boards in every district, the decision of the board would be final and an advance directive should yield to the board's decision.

A two-fold test as to when a 'Living Will' would come into effect.

LIVING WILL

- ⊙ Document that states measures that should not be taken to prolong life when the patient is terminal.
- ⊙ Must be signed when individual is competent and witnessed by two adults who would not benefit from the death.
- ⊙ Most states have laws that honor living wills.
- ⊙ Living wills often have a Do Not Resuscitate (DNR) request.
- ⊙ If so, a doctor may write a Do Not Resuscitate order.

- One, when the medical condition of the patient has become irreversible.
- Two, when the prolongation of his life can be done only at the cost of pain and suffering which is at a level inconsistent with his advance directive.

What are its implications?

The Supreme Court, in a landmark verdict in 2011, ruled out any support for active euthanasia, but laid down a broad legal framework for passive euthanasia, or the withdrawal of life support subject to safeguards and a fair procedure.

Under U.S. jurisdiction patient autonomy is paramount, and many States have laws allowing advance directives, even the nomination of a 'health care proxy' who can decide on behalf of the patient. But the question is whether India should allow same procedure within our nation.

The question is fraught with legal, moral and philosophical implications. The court will have to resolve the question whether the right to life under Article 21 of the Constitution, which according to an earlier verdict does not include the right to die, is being voluntarily waived by a person giving such an advance directive.

Why does government oppose the concept of an advance directive or Living will?

The government, represented by Additional Solicitor General said the legalisation of 'advance directives' would amount to waiving off the paramount fundamental right to life enshrined under Article 21 of the Constitution.

The government was opposing the concept of 'Living Will' as a principle of public policy. It said the State's primary obligation is to sustain life and not legalise a person's wish to die.

The government is rightly concerned that the idea may be misused and result in the neglect of the elderly. Persons who exercise the right of self-determination should know that there are many under-privileged persons who may be subjected to abuse if 'living wills' are legalised.

The government had said the passive euthanasia is the law of the land, with thousands of cases in which doctors withdraw life support after getting the informed consent of the relatives. The government pointed out that the Supreme Court itself, in 2011, issued comprehensive guidelines allowing passive euthanasia in the tragic case of the bed-ridden former Mumbai nurse Aruna Shanbaug which observed that right to live with dignity also includes right to die with dignity, to approve of passive euthanasia.

As part of it, the government is already finalising draft law on passive euthanasia called 'The Management of Patients with Terminal Illness – Withdrawal of Medical Life Support Bill'.

Way Forward

In the present case, the court may have to draw up stringent safeguards for certifying living wills, preferably by a judicial officer, and lay down the exact stage at which the advance directive becomes applicable.

The court's observation that it would kick in only after a medical board rules that a person's condition is incurable ought to be sufficient reassurance for those concerned about its possible misuse.

The present law provides for advance directives regarding treatment of mental illness, so the concept is not new to Indian law. Living wills, if sanctified in law, should come with robust safeguards.

14/10 - Saving child brides — on SC ruling on sex with minor wife

Context:

The Supreme Court on Wednesday (October 11th, 2017) held that sexual intercourse by a man with his wife, who is below 18 years of age, is Rape.

With this judgment, the court ended the decades-old disparity between Exception to Section 375 IPC and other child protection laws like the Prohibition of Child Marriage Act of 2006, Protection of Children from Sexual Offences Act and Juvenile Justice Act, all which define a "child" as someone who is below 18 years of age. The court has sought to harmonise the various laws in which any person under 18 is a minor.

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.

Introduction

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.

The harsh reality is that most of the child brides are even below the age of 15 years. There is a practice in many parts of the country where children, both girls and boys, are married off, even before they attain puberty. They are innocent children, who do not even understand what marriage is.

By ruling that marriage cannot be a licence to have sex with a minor girl, the Supreme Court has corrected an anomaly in the country's criminal law.

Why does the SC judgement a major relief to the child bride?

Though child marriage is prohibited, it is not automatically void under India's civil laws. The court criticised the fact that PCMA (Prohibition of Child Marriage Act of 2006) makes child marriage only voidable, that is, the burden is placed on the child bride to approach a court to declare her marriage a nullity. She has to do this within two years of attaining majority that is by the time she is 20 years old. If not, the marriage continues.

Human rights of a girl child are very much alive and kicking whether she is married or not and deserve recognition and acceptance.

The judgement is a major relief to the child bride because an unmarried girl child can prosecute her rapist, but a married girl child aged between 15 and 18 could not even do that due to the exception given to the Section 375, IPC.

What is the conflict between IPC 375 and POCSO Act?

In a land mark judgement SC on October 11, 2017 criminalised the sex with wife aged between 15 and 18 years.

- Till now sexual intercourse with minor wife did not amount to rape if she was over 15 years of age.
- This was in the Indian Penal code (IPC) as an exception to Section 375 which is the law of the land regarding Rape.
- This exception meant that the husband was not charged with Rape even though child marriage is a crime. Hence under previous exception minor girl's husband can have non-consensual sexual intercourse with her, without being penalised under the IPC, simply because she is married to him and for no other reason.
- This came into conflict with 2012 POCSO (Protection of Children from sexual offences) Act that defines 'children' as those aged below 18.

In January this year, Nobel Prize winner Kailash Satyarthi through his organization Bachpan Bachao Andolan appealed to the SC to clear the conflict between the IPC and POCSO Act.

- In its ruling the Apex court said the exception was arbitrary and violated the constitution and bodily integrity of a girl child.
- It had even the effect of turning a blind eye to trafficking of the minor girl children in the guise of marriage.
- The SC also asked the centre and States to take proactive steps to prohibit child marriages.

What is the Government's stand on this issue?

The court slammed the government for trying to "somehow legitimise" the exception clause. The government had urged the court not to interfere with the exception clause as it was introduced keeping in view the age-old traditions and evolving social norms. The reason why Government wanted the exception to the Section 375 to stay is

- The truth is that the minimum age of marriage of a female is 18 years and punishment has been provided in the Prohibition of Child Marriage Act, 2006 to discourage child marriages.
- However, it is also a fact that a large section of the Indian society, which is living in rural areas, continues to follow such practices as part of their tradition.
- As per the data collected in National Family Health Survey-III, 46% of women between 18-29 years in India were married before the age of 18.
- It is also estimated that there are 23 million child brides in the country.
- Hence criminalising such marriage with a serious offence such as rape would not be appropriate and practical.

Why are the implications of the ruling on child marriage a cause of worry?

The SC judgment is in keeping with the reformist view that early marriage is a serious infringement of child rights. The judges draw extensively on studies that demonstrate child marriage is a social evil that adversely affects the physical and mental health of children, denies them opportunities for education and self-advancement, infringes on their bodily autonomy and deprives them of any role in deciding on many aspects of their lives.

The practical implications of the judgment are worrying.

- Given the prevalence of child marriage in this country, it is doubtful whether it is possible to implement the statutory rape law uniformly in the context of marriages.
- Whether a person who is married a minor girl under Muslim personal law, which permits girls below 18 to be married, will be punished is still debatable.
- The age of consent under the IPC was raised in 2013 from 16 to 18 to bring it in line with the Protection of Children from Sexual Offences Act, 2012. However, the age above which marriage is an exception to rape was retained at 15, as fixed in 1940. POCSO criminalises even consensual teenage sexual activity and the latest ruling has brought this into the domain of marriage. A teenager could be prosecuted for a sexual offence under POCSO even if he was just a little above 18. In the same way, a teenage husband may now be threatened with prosecution for rape.
- Significantly, if boys under 18 but over 16 are charged with penetrative sexual assault under POCSO or rape under the IPC, which can be termed 'heinous offences', they could face the prospect of being tried as adults, according to the juvenile law as it stands now.

Conclusion

A child remains a child whether she is described as a street child or a surrendered child or an abandoned child or an adopted child. Similarly, a child remains a child whether she is a married child or an unmarried child or a divorced child or a separated or widowed child. At this stage it is reminded of Shakespeare's eternal view that a rose by any other name would smell as sweet — so also with the status of a child, despite any prefix.

Union of India also cannot be unconscious to the existence of the trauma faced by a girl child who is married between 15 and 18 years of age.

15/10 - Six steps to job creation**Context:**

Expectations from India's manufacturing sector are high. These include, among other objectives, job creation, exports and a force that will drive future economic growth.

In India's highly segmented labour market, there are at least three demographic groups that are in urgent need of jobs: a growing number of better educated youth; uneducated agricultural workers who wish to leave agricultural distress behind; and young women, who too are better educated than ever before.

India is indeed the fastest growing large economy in the world. Growth should be inclusive and sustainable. One of the crucial determinant of the same is it should be employment intensive. There has been a low job growth due to several factors such as low investment, capacity utilization in industry, agriculture growth and low plant load factor.

Although growth is relatively high it is the pattern of growth that is an area of concern. One of the concerns is that manufacturing sector has not been the leading sector driving growth. Manufacturing should drive productivity in the whole economy. Services cannot, as services by definition 'service' the distribution of produced goods.

Introduction

Growth generates employment and employment generates further growth. In general, employment corresponds to the qualitative aspect of growth. If a country is on the growth trajectory, it will generate more employment opportunities and while the growth declines, people start losing jobs.

Jobless growth is an economic phenomenon in which a macro economy experiences growth while maintaining or decreasing its level of employment.

The aim should be at growth that is driven both by improvements in productivity and modernizations of its labour force — especially since better jobs are crucial to improving the lives of millions.

What are the main factors of India's jobless growth?

The transition peasants into factory workers requires basic training, which is not keeping in pace with job needs. Moreover the main contributor in India's GDP is service sector which is not labour intensive and thus adds to jobless growth.

The other factor is related to small and medium enterprises (SMEs). Their labour intensity is four times higher than that of large firms. SMEs, which employ 40 per cent of the workforce of the country and which represent about 45 per cent of India's manufacturing output and 40 per cent of India's total exports, are in a better position to create jobs. But it is not able to do so because of poor infrastructure, lack of skilled labour and also they don't have easy access to loans.

What can policy-makers do to revive job growth?

- **An industrial and trade policy is needed.**

The Department of Industrial Policy and Promotion (DIPP) is preparing an industrial policy. National Manufacturing Policy came in 2011, was not implemented fully.

- While the DIPP is preparing the industrial policy document, it is essential that trade policy is consistent with such an industrial policy. Otherwise the two may work at cross purposes and undermine each other's objectives.
- Excessive imports have been decimating Indian manufacturing.
- An inverted duty structure has the following features: higher duty on intermediate goods compared to final finished goods, with the latter often enjoying concessional customs duty.
- As a result, domestic manufacturers face high tariffs leading to higher raw material cost at home, emanating from the unfavourable inverted duty structure.
- This has prevented many manufacturing sectors from growing since economic reforms began. This must be corrected.

The automobiles sector in India faced no inverted duty structure, and has thrived. India has become in the last decade one of the largest producers of vehicles of several kinds in the world now. Electronics faced an inverted duty structure, but due to changes made, electronics manufacturing has shown slow growth.

- **Special packages are needed for labour-intensive industries to create jobs.**

There are a number of labour intensive manufacturing sectors in India such as food processing, leather and footwear, wood manufacturers and furniture, textiles and apparel and garments.

- The apparel and garments sector received a package from the Government of India roughly a year back. The other labour intensive sectors have been ignored.
- The nature of the package will need to be individually designed for each sector defined as quickly as possible.
- **Cluster development**

There should be cluster development to support job creation in micro, small and medium enterprises (MSMEs).

- Most of the unorganised sector employment is in MSMEs, which tend to be concentrated in specific geographic locations.
- There are 1,350 modern industry clusters in India and an additional 4,000 traditional product manufacturing clusters, like handloom, handicraft and other traditional single product group clusters.
- There is a cluster development programme of the Ministry of MSMEs, which need to be funded adequately and better designed to create more opportunities.
- **Align urban development with manufacturing clusters to create jobs.**

The Ministry of Urban Development has a programme called AMRUT (Atal Mission for Rejuvenation and Urban Transformation) aimed at improving infrastructure for small towns. Infrastructure investment by the government creates many jobs.

- The same intervention should be made in towns which have clusters of unorganised sector economic activities.
- Hence an engagement between the Urban Development and MSME Ministries is necessary to attract more investment to industrial clusters and increase non-agricultural jobs.

- **More focus on women participation**

Girls are losing out in jobs, or those with increasing education can't find them, despite having gotten higher levels of education.

- Secondary enrolment in the country rose from 58% to 85% in a matter of five years (2010-2015), with gender parity.
- Skilling close to clusters is likely to create more no of jobs.
- The problem with skilling programmes has been low placement after skilling is complete.
- The availability of jobs close to where the skilling is conducted will also enhance the demand for skilling.

- **Public investments in health, education, police and judiciary**

This can create many government jobs.

- Public investment in the health sector has remained even in the last three years at 1.15% of GDP, despite the creation of the national health policy at the beginning of 2017.
- The policy indicates that expenditure on health will rise to 2.5% of GDP by 2025.
- Given the state of health and nutrition of the population, it is critical that public expenditure on health is increased immediately.
- In the absence of greater public expenditure, the private sector in health keeps expanding, which raises the household costs on health without necessarily improving health outcomes, because the private sector does not spend on preventive and public health measures.
- Preventive and public health have been in all countries the responsibility of government. More government expenditure in health means more jobs in government and better health outcomes.

Next important area should be Revitalising schools.

- Government schools should maintain education quality on par with private schools.
- Many new government jobs can be provided if more young people could be trained specially to become teachers for science and mathematics at the secondary and higher secondary levels in government schools.

The same applies to the police and the judiciary.

- All the vacancies in Police and judiciary should be filled immediately. More police and a larger judiciary can both reduce crime as well as speed up the process of justice for the ordinary citizen.

Conclusion:

Government schemes rarely create many jobs. International evidence is that when consumer demand grows consistently, whether from domestic or international markets, that is when jobs grow. That requires an industrial policy. Ease of doing business improvement and infrastructure investment increases should improve the economic environment. But most importantly India needs a robust industrial policy.

And also it is crucial to align policy across sectors and upgrade the country's social infrastructure.

16/10 - Between disarmament and deterrence

Context:

For the second time in the last decade, the Nobel Committee awarded its annual peace prize to the laudable goal of nuclear disarmament. This year's recipient, the International Campaign to Abolish Nuclear Weapons (ICAN), has worked tirelessly to raise awareness of nuclear dangers.

The ICAN, a coalition of NGOs from almost 100 countries, has been tirelessly working on a global campaign to mobilise people to inspire, persuade and pressure their governments to initiate and support negotiations for a treaty banning nuclear weapons (the Treaty on the Prohibition of Nuclear Weapons at the United Nations). This treaty is the first legally binding international agreement to comprehensively prohibit nuclear weapons, reflects the ambition of many states to rid the world of nuclear weapons.

To make further progress, focus must be kept on practical steps to reduce the risks of nuclear weapons being used. Without such work, the prohibition treaty risks becoming merely a moral victory, rather than contributing to concrete steps towards a world without nuclear weapons.

The treaty is significant but it does not completely ban nuclear weapons

The nuclear weapon ban is a landmark treaty, of great political and historical importance. The prohibition treaty creates a legal basis for banning nuclear weapons among adhering states; however it hasn't actually banned such weapons. Nuclear arsenals exist and will continue to exist for years to come.

- The treaty establishes no new mechanisms to encourage states with nuclear weapons to dismantle them.
- Instead, it seeks to delegitimise nuclear weapons as tools of statecraft on the grounds of indiscriminate humanitarian effects.
- A state that joins the treaty while still possessing nuclear weapons is not required to accept any safeguards until after it has eliminated its weapons. This is a major weakness – elimination could take years, during which time the state could be producing new weapons to replace those it is eliminating.

The nuclear prohibition movement has no doubt gained momentum but neither the advent of a nuclear prohibition treaty, nor the increase in nuclear dangers seems to have weakened the belief in nuclear deterrence by the states possessing such weapons.

What is Nuclear Deterrence?

The strategic concept of deterrence aims to prevent war. It is the justification virtually every nuclear state uses for maintaining nuclear arsenals.

- The concept of deterrence can be defined as the use of threats by one party to convince another party to refrain from initiating some course of action.
- The concept of nuclear deterrence follows the rationale of the 'first user' principle.
- States reserve the right to use nuclear weapons in self-defence against an armed attack threatening their vital security interests.
- Possession of nuclear weapons could be seen as the ultimate bargaining tool in international diplomacy under such concept.

The supporters of this concept argue that without nuclear weapons there would be more violence. Many of the states opposed to the prohibition treaty are located in Europe and East Asia, regions whose politics continue to be shaped by the trauma and outcome of the Second World War.

How do International security problems the reason for the quest for nuclear weapons?

In the present international security problems that the current ban movement and the nuclear prohibition treaty have trouble addressing. States facing potentially existential threats find few alternatives to nuclear deterrence.

Many states will join the treaty in the hope that it will stigmatise nuclear weapons but many states will reject the treaty and continue to hope that nuclear weapons and alliances backed by them will guarantee their security.

Indeed, states with nuclear weapons are now engaged in efforts to modernise their arsenals to be useful for decades to come.

- The U.S. is considering building smaller nuclear weapons to target buried facilities.
- Pakistan has tested nuclear weapons that could be deployed on the battlefield.
- Russia may be developing new, intermediate-range missiles in contravention of an arms control treaty with the U.S.
- India has been deploying nuclear weapons on new submarines.
- China is fielding new long-range missiles with multiple nuclear warheads.
- North Korea is racing to test and field a scary array of nuclear missiles.

None of the weapons possessors seems particularly concerned with the stigma created by the prohibition treaty.

Role of civil societies in searching for middle ground

For international civil society actors who support the objective of disarmament, this international situation presents an uncomfortable choice. In reality the prohibition and nuclear disarmament camps are so divided that it is difficult to find credible middle ground.

But there are useful means to push both sides towards a safer world.

- In states possessing nuclear weapons, civil society actors can challenge the most expansive and dangerous ideas that extend nuclear deterrence objectives to absurd ends.
- Sharp analysis can highlight the negative outcomes of nuclear deterrence policy.
- It is useful to foster debate that forces policymakers to justify their investment in nuclear weapons.
- In states desiring to prohibit nuclear weapons, civil society actors can encourage actions and policies that aim to mitigate security threats that drive demand for nuclear weapons.
- Strengthening international institutions and mechanisms that prevent proliferation and enhance the credible peaceful uses of nuclear technology is a critical enabler of disarmament.

Way Forward

Success in expanding the middle ground between nuclear disarmament and nuclear deterrence will require the same ambition and idealism that drove the conclusion of the nuclear prohibition treaty.

- It will require innovation and perseverance to identify and promote mechanisms to reduce risks of nuclear use.
- It will require building trust that states and civil society actors on either side of the debate share the objective of mutual security.
- The relationship between the ban treaty and other treaties such as the NPT, the CTBT (Comprehensive Nuclear-Test-Ban Treaty), and nuclear weapon-free zone treaties, has to be clearly specified.

18/10 - Avoid the Adventurous Path**Context:**

Data released by the Central Statistics Office (CSO) showed the economy grew 5.7% in April-June, the first quarter of the current fiscal year, slower than the previous quarter's 6.1% and much lower than the 7.9% growth registered in the first quarter of 2016-17.

Among other things, one factor that stands out is the steady and sharp decline in the investment rate. The Gross Fixed Capital Formation (GFCF) rate has touched the level of 27.5% in the first quarter of 2017-18. A year ago, it was 29.2%, and a decade ago, it was 10 percentage points higher.

In recent years, public investment has shown a small rise. The decline in the investment rate has been largely due to a decline in the private investment rate, both corporate and household.

Introduction

The real growth of GDP, i.e. after removing the impact of inflation, was only 5.7%, much lower than expected. This steady declining trend in the growth rate is a matter of concern. The policy prescriptions needed to reverse the trend depend on our understanding of the factors responsible for the slowdown. Policy initiatives must be directed towards raising investment.

Is the revenue or the fiscal deficit the relevant criterion?

Deficits add to debt.

The fiscal deficit (FD) includes interest payments and is the total government-borrowing requirement to finance current and capital expenditure net of tax and non-tax revenue.

- Markets are interested in this as an indicator of pressure on market yields, and crowding out of private investment
- It is the focus of most fiscal rules as it caps government expenditure in excess of revenue and possible crowding out of private expenditure.

- Some have argued for a strong fiscal stimulus through an increase in public investment by relaxing the fiscal deficit. But the critical issue over the last several decades is the falling quality of public expenditure.
- Experience with the FRBM shows targets were met by cutting capital expenditure rather than sustainable reform.
- Moreover, they were reset when convenient, as after the Great Financial Crisis.

The revenue deficit (RD), or deficit on current account, which is the amount the government needs to borrow to finance consumption expenditure, therefore becomes important.

- A falling RD will raise the share of investment in government expenditure. It is necessary to protect such asset creating expenditure.
- Research shows this has a higher and more persistent effect in raising GDP, reducing inflation and decreasing the current account deficit.
- So it is the RD that is targeted to reduce gradually towards zero, in line with facilitating high feasible transitional growth.

Why do both FD and RD targets significant?

It is argued that there is no rationale for having a fiscal deficit target. It is also argued that what is relevant is revenue deficit.

There are two problems with this argument.

1. First, the focus on fiscal deficit is mainly to ensure that the private sector has sufficient borrowing space. This is clearly set out in the Report of the Twelfth Finance Commission (TFC).

Similarly, the target of debt-GDP ratio at 60% in 2023 from the present level of 70% is supposed to be achieved by limiting the fiscal deficit at 3% of GDP in the first three years and 2.5% in the next two by both the Centre and States.

2. Second, over 60% of the estimated fiscal deficit at the Centre in 2017-18 (1.9% out of 3.2%) is revenue deficit.

At the State level, when the impact of loan waivers, additional interest payments on account of Ujwal DISCOM Assurance Yojana (UDAY) and possible impact of pay revision is considered, the revenue deficit may increase by 1% of GDP.

Thus, the problem of proliferation in revenue deficit continues.

History of fiscal laxity

Indian economic history is replete with instances of adverse effects of fiscal expansion on inflation as well as the balance of payments.

- The huge fiscal expansion in the late 1980s, with the fiscal deficit at more than 10% of GDP leading to the macroeconomic and balance of payments crisis requiring the adoption of structural adjustment programme in 1991.
- After substantial improvement in the fiscal situation during the period 2004-05 to 2007-08, the implementation of the Pay Commission recommendation, expansion of rural employment guarantee for the whole country and the introduction of the loan waiver led to derailing the process of adjustment in 2008-09, and the fiscal deficit of the Centre increased from 2.5% in 2007-08 to 6.1% in 2008-09.
- It further ballooned to 6.6% in 2009-10 and the consolidated deficit was 9.4%. This was one of the important reasons for the inflation rate increasing to 10.2% in March 2010, and the average increase in wholesale price index in 2010-11 was 11.1%.

Declining financial savings

The Annual Report of the Reserve Bank of India (RBI) gives the latest estimate of the financial saving of the household sector for 2016-17 at just about 8.1% of GDP.

- The aggregate fiscal deficit at the Central and State levels budgeted for 2017-18 is about 6% of GDP, but this is likely to go up after the impact of loan waivers and increase in house rent allowance at the Centre and possible revision of pay scales in the States are taken account of.
- The annual report also estimates the impact of loan waivers alone at 0.5% of GDP. This leaves less borrowing space the private corporate sector.

- At a time when the need is to stimulate private investment, to restrict the space available for it may be counterproductive.

In such an environment, there is hardly any scope for reducing the interest rates by the RBI, and even if it did, financial institutions would be unwilling to lend at lower rates.

Why does adhering to the fiscal deficit targets set out in the Budgets going to be challenging?

Given the difficulties in the public sector banks, there will be a sharp reduction in the dividends from banking and financial institutions and a shortfall in disinvestment and tax revenue collection, if current trends persist.

- The problem of adhering to the fiscal deficit target is not confined to the Centre alone.
- At the State level, the combined fiscal deficit for 26 States is budgeted at 2.2% of GDP excluding the deficit arising from taking over the power distribution companies (discoms) loans.
- However, the expenditure on account of loan waivers is estimated at about 0.5% of GDP.
- Furthermore, following pay revision at the Centre, some of the States may revise their pay scales which could add to the fiscal pressure. There could be a slippage of about 1% GDP in fiscal deficits.

Road map ahead

Fiscal policy is procyclical since higher revenues are spent in boom times and capital expenditures are cut in lean times.

- The solution to the current slowdown in growth lies in reviving private investment, recapitalising banks to enable them to lend more and speedy completion of stalled projects.
- Fiscal policy can at best play a role in creating the appropriate climate. Fiscal prudence is one of the elements in sustaining growth over an extended period.
- The fiscal deficit rules that we have evolved should be consistent with the level of savings and the demands of the various sectors on those savings. Our adherence to the fiscal rules should be strong.
- An independent fiscal council may be needed to discipline the Centre. A fiscal institution does improve fiscal management and expenditure quality, and reduces the discretion to cut capital expenditure.

The slippage in fiscal deficit by a few decimal points may not matter but any aggressive attempt to widen the fiscal deficit should be avoided.

19/10 - Making the Internet disappear

Context:

The authorities suspend mobile internet and broadband services whenever there have been violence, widespread protests because of social media posts or otherwise.

Authorities justified the course of action as it was issued to prevent any disturbance of peace and public order.

If the government wishes to keep law and order, then it may find other, less drastic ways such as increasing security or even winning the trust of the people and addressing their grievances.

Some of the internet shutdowns that have taken place at India in 2017 so far

India shut off the internet in an attempt to maintain order.

- The J&K valley in 2017 so far, there have been 10 cases of internet suspensions due to various incidents. Recently, due to the killing of Amarnath Yatris in Kashmir, internet services were terminated as a precaution.
- In Nagaland, mobile internet services were taken down multiple times from January 30th 2017, as clashes took place between urban local bodies and the state government over reservation in civic body elections.
- Governments in the northern Indian states of Punjab and Haryana shut down citizens' internet access and text messaging services just before a verdict was to be released on a high-profile rape case.
- Similarly, due to unrest in Darjeeling over Gorkhaland agitation, web services were taken down.

Why does internet shutdown become a major cause of concern?

In the 21st century, the Internet has assumed an increasingly important place in our lives.

- From banking to political speech, and from complex medical procedures to the purchase of basic necessities, important aspects of our economic, social, and cultural life now depend upon the Internet.
- Many of the fundamental rights guaranteed by our Constitution — the freedom of speech and expression, the freedom of association, the freedom of trade — are exercised in significant part on the Internet.

But the growing importance of the Internet in personal life, as well as its growing use to challenge governmental authority, has led to a backlash, where governments attempted to control the Internet in case of any law and order issue.

The increasing number of government mandated shutdown of Internet access have with serious consequences both for civil rights, and for business.

What is the legal basis of Internet shutdowns in India?

A few years ago, the High Court of Gujarat invoked Section 144 of the Code of Criminal Procedure (CrPC) to uphold an Internet shutdown.

Section 144 has its roots in the colonial-era British police-state and it (Section 144) is primarily used to secure an area from damage or harm in the case of a potential or actual law and order disturbance, to ban protests or other forms of political action in places such as central Delhi.

- A key point to note in the Gujarat High Court's decision was that the provisions of the CrPC cannot directly be transposed into the online world.
- An Internet shutdown takes away an entire — and critical — platform of communication and work altogether. In case of section 144, it only ends up placing certain specific areas beyond the bounds of large assemblies and associations for a temporary period of time.

In an attempt to adjudicate a fair constitutional balance between the fundamental rights of individuals on the one hand and the interests of the state in maintaining law and order on the other, the Supreme Court has often insisted that the state's action must be proportionate: that is, there ought to be no greater invasion of the individual's right than what is strictly necessary to achieve the state's goal.

India responds to internet shutdown criticism by codifying rules to make it legal. The communication ministry has issued new rules that allow the government to temporarily shut down phone and internet services during a "public emergency" or for "public safety".

The Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules

In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (the Central Government hereby makes the following rules to regulate the temporary suspension of telecom services due to public emergency or public safety.

- Directions to suspend the telecom services shall not be issued except by an order made by the Secretary to the Government of India in the Ministry of Home Affairs in the case of Government of India or by the Secretary to the State Government in-charge of the Home Department in the case of a State Government
- In unavoidable circumstances, where obtaining of prior direction is not feasible, such order may be issued by an officer, not below the rank of a Joint Secretary to the Government of India, Provided that the order shall be subject to the confirmation from the competent authority within 24 hours of issuing such order. Or else the order shall cease to exist.
- The Order shall contain reasons for such direction and a copy of such order shall be forwarded to the concerned Review Committee latest by next working day.
- The directions for suspension shall be conveyed to designated officers of the telegraph authority or to the designated officers of the service providers in writing or by secure electronic communication by an officer not below the rank of Superintendent of Police.
- The telegraph authority and service providers shall designate officers in every licensed service area as the nodal officers to receive and handle such requisitions for suspension of telecom services.

- The Central Government or the State Government, as the case may be, shall constitute a Review Committee and it shall meet within five working days of issue of directions for suspension of services.

Why is there criticism against newly framed Rules?

The new rules were meant to bring transparency and clarity to the procedure through which Internet services were suspended.

- However, there was no transparency or democratic debate when these rules were framed;
- Their scope is vast, and includes phone calls as well as Internet calls; and there is no provision that envisages a lifting of the shutdown after any specific time.
- But perhaps what is most important about these rules is the virtual non-existence of mechanisms of accountability.
- Once the order is issued, the scope of “review committee” is limited to decide whether the declaration was valid or not.

The need of the hour

The concentration of more power in the hands of the government will only further disempower the individual against the state, and achieve a temporary illusion of security at the cost of a permanent loss of freedom.

- This is a power that may be liable to all kinds of misuse, and hence it must be tempered with stringent safeguards.
- Just like the police must present an individual before a court within 24 hours if they want to keep her in custody, the government must, by law, subject Internet shutdowns to judicial scrutiny as soon as reasonably possible.
- And courts must take into account the exceptional character of Internet shutdowns and their impact on core civil liberties before validating them.

20/10 - A first step: On Multi Commodity Exchange

Context:

The government announced last year that it would take steps towards introducing new varieties of commodity derivatives in the market.

Recently, Finance minister launched the first options security with gold as the underlying asset for trading on Multi Commodity Exchange Ltd. This marks a very important evolution in trading of the yellow metal itself. Launching gold options is a step towards “formalising trade” in the yellow metal.

The gold options contract launched allows trading in 1kg gold. The move to allow options trading comes on the back of several other steps the government has taken to make gold trading more transparent.

Introduction

Gold Options is the first product for options trading that the regulator Securities and Exchange Board of India (Sebi) has allowed after 14 years of commencement of commodity exchanges in the country.

What is MCX?

Multi Commodity Exchange (MCX) as the name suggests is an exchange like BSE and NSE where commodities are traded.

- It is a platform for commodity traders that facilitate online trading, settlement and clearing of commodity futures transactions, thereby providing a platform for risk management (hedging).
- It was established in November 2003 under the regulatory framework of FMC (Forward Markets Commission).
- In 2016, the FMC was merged with SEBI and MCX as an exchange falls under the regulatory purview of SEBI.

MCX (Multi Commodity Exchange)

- Multi Commodity Exchange of India Ltd (MCX) is a state-of-the-art electronic commodity futures exchange. The demutualised Exchange has permanent recognition from the Government of India to facilitate online trading, and clearing and settlement operations for commodity futures across the country.
- MCX offers more than 40 commodities across various segments such as bullion, ferrous and non-ferrous metals, energy, and a number of agri-commodities on its platform. The Exchange introduces standardized commodity futures contracts on its platform.
- MCX has been certified to three ISO standards including ISO 9001:2008 Quality Management System standard, ISO 14001:2004 Environmental Management

What are Options?

Options are a type of derivative security. They are a derivative because the price of an option is intrinsically linked to the price of something else.

Options, like other financial derivatives, allow price risks to be transferred between market players in an efficient manner.

The Gold options product is unique and the first of its kind, giving buyers the right to buy or sell the underlying asset, but no obligation, at a specified price at the expiry.

What are the benefits of Gold Options?

The derivative instrument allows investors to enter into contracts to either buy or sell gold sometime in the future at a pre-determined price, thus allowing investors to hedge any volatility in the price of the metal, for a price.

- Options usually are cheaper than binding future agreements will help in the wider participation of investors in the realm of commodity speculation.
- Helps in formalising Gold trade.
- The introduction of a new financial instrument in India clears a path to building a vibrant market for commodities.
- The benefits of well-regulated commodity speculation are likely to outweigh the potential systemic risk from asset bubbles.

The commodity options would be taken up initially by hedgers, professionals and high net worth individuals. Retail investors will participate only if mini gold contracts are launched as the lot size is not manageable for retail as per the current specification.

What is required is avoiding some policy mistakes of the past

The business of anticipating prices in the future is left to professional speculators while their clients benefit from the prospect of stable prices. In the process, financial derivatives can facilitate the conduct of real economic activity in higher risk segments — including in agriculture and industrial activity.

Confusion over this has led to an unjustified hostility towards financial speculation, as well as some hasty policy measures. Almost a decade ago, a rapid increase in food prices pushed the government to impose a blanket ban on any speculation on agricultural products.

While it may have been relevant for the specific circumstances, the wide-ranging nature of the move slowed the development of a healthy market for commodity speculation. The government should now resist similar temptation and focus instead on real-time monitoring systems.

To improve market efficiency, the market regulator is also mulling the entry of mutual funds and portfolio management services into the business of investing in commodity derivatives.

Conclusion

The move to allow 'options trading' comes on the back of several other steps the government has taken, like Sovereign Gold bond scheme and Gold monetization scheme, to make gold trading more transparent.

Apart from the standardized derivatives approved by SEBI for trading in exchanges, a framework that promotes over-the-counter products will help improve the scope for risk mitigation. The debut of gold options should be seen as a step towards greater reforms.

21/10 - Do all women have a right to enter Sabarimala?

Context:

The Supreme Court referred the matter relating to the entry of women in Kerala's Sabarimala shrine to a five-judge Constitution bench.

A bench headed by chief justice said the issue of entry of women would be tested against the fundamental rights of Article 14 (equality under law) and Article 15 (prohibition of discrimination on grounds of religion, race, caste etc) of the Constitution of India.

The court is hearing PIL filed in 2006 by non-profit body Indian Young Lawyers' Association, seeking entry for all women and girls to the Sabarimala shrine. Girls and women of menstruating age are not allowed in the premises of the temple, which houses Lord Ayyappan.

Constitutional vs Cultural dimensions

- The case has constitutional as well as cultural dimensions. Displaying great cultural sensitivity, a division Bench of the Kerala High Court had, back in 1991, pointed out that “age regulation” in Sabarimala is not unconstitutional.
- In Sabarimala, the deity is worshipped in the form of *Naishtika Brahmachari* a celibate, as pointed out by the Kerala High Court.
- The supporters of Temple ban say that
 - This particular deity system is Tantric in nature and not Vedic.
 - In the Tantric system, the temple is not a prayer hall but an energy centre; the deity is not God who is omnipresent, but a source of energy (*chaithanya*) in a particular spiritual space.
 - Uniqueness is the soul of every temple. Lakhs of women congregate in Sabarimala every year. There is only one limitation: they should not be between 10 and 50, because of the specific nature of the *Prathishta* (idol) and the vow celibacy associated with the idol.
 - The restriction finds its source in the legend that the Sabarimala temple deity – Swami Ayyappa – is a ‘Naishtika Brahmachari’ – and should not be disturbed.

Why does preventing women’s entry to the temple discriminatory in nature?

Preventing women’s entry to the Sabarimala temple with an irrational and obsolete notion of “purity” clearly offends the equality clauses in the Constitution. In any civilised society, gender equality is to be treated as one of the core values.

- It denotes a patriarchal and partisan approach.
- The entry prohibition takes away the woman’s right against discrimination guaranteed under Article 15(1) of the Constitution.
- It curtails her religious freedom assured by Article 25(1).
- Prohibition of women’s entry to the shrine solely on the basis of womanhood and the biological features associated with womanhood is derogatory to women, which Article 51A (e) aims to renounce.
- The classification based on age is an act of discrimination based on sex.

What will constitution bench decide on this issue?

The court questioned how a temple managed by a statutory board — the Travancore Devaswom Board — and financed out of the Consolidated Fund of Kerala and Tamil Nadu “can indulge in practices violating constitutional principles/morality.”

The temple authorities have justified the restriction, saying it is a practice founded in tradition.

- The Constitution Bench will decide whether Rule 3 (b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965 allows a ‘religious denomination’ to ban entry of women between the ages of 10 to 50 years.
- If so, does this amount to discrimination and violation of the fundamental rights to equality and gender justice.
- The larger Bench will decide whether the ban qualifies as an “essential religious practice” of the Hindu faith, over which the court has no jurisdiction.
- Most importantly the larger Bench will decide if a temple managed by a statutory board can ‘indulge’ in the practice of banning women from entry on moral grounds.

Way Forward

The core values of our democracy and Indic civilisation are respect for diversity among the enormous range of communities cohabiting in India with substantial differences (as well as commonalities) in matters of faith, cultural practices, value systems, family structure, dress codes, food habits and ways of relating to the world as well as the divine.

This mutual respect for differences in ways of being, worship, singing, dancing, clothing, cooking, and so on is what enabled the rich diversity of India to survive through millennia.

- In this context, it is essential to prevent monopolisation of religious rights by a few under the guise of management of religious institutions
- Those at the helm of affairs can only manage the institutions in a lawful and fair manner and they cannot be permitted to manage others' freedom.
- The media and society would do well not to politicise or bring any '-ism' or ideology to the temple.

23/10 - Unravelling of the Iran deal

Context:

US President announced that he was "decertifying" Iran's compliance with the Joint Comprehensive Plan of Action ("JCPOA"). By itself, this action does not mean that the United States has withdrawn from the JCPOA, nor does it reinstate sanctions that were lifted under the JCPOA.

What it does do, however, is to hand the matter over to the US Congress for a 60-day review period in which Congress must decide whether the sanctions relief under the JCPOA will remain in effect.



Congress is also reported to be considering new laws that would automatically re-impose US sanctions if Iran violates existing and new restrictions on its nuclear program

Against this uncertain US political backdrop, both Iran and US allies have reaffirmed their clear commitment to Iran's compliance with the JCPOA. International Atomic Energy Agency (IAEA) Director General publicly stated that Iran is in full compliance with the deal and subject to the world's most robust nuclear verification regime.

Why were sanctions imposed on Iran?

In 2004, Iran had around 1000 centrifuges, and by 2015 the number had grown to 20,000. The U.S. concluded that Iran had recovered from the Stuxnet debacle and was barely months away from producing enough highly enriched uranium (20-25 kg) to produce a nuclear device.

As a result, the UN, EU and several individual countries have imposed sanctions in an attempt to prevent it from developing military nuclear capability.

The rationale behind the sanctions was that a nuclear armed Iran would be more threatening. Therefore the JCPOA focussed exclusively on rolling back Iran's nuclear activities.

What is JCPOA?

The P5+1 (China, France, Germany, Russia, the United Kingdom, and the United States), the European Union (EU), and Iran reached a Joint Comprehensive Plan of Action (JCPOA) to ensure that Iran's nuclear program will be exclusively peaceful.

Under the JCPOA,

- Iran ended converting the underground Fordow enrichment facility into a research centre and dismantling of the Arak heavy water research reactor)
- Accepted restraints on reducing the number of operational centrifuges to 5060 at Natanz for 10 years.
- Accepted a highly rigorous inspection regime.
- In return, about \$100 billion of Iranian assets were unfrozen and Iran was allowed to resume sales of oil.

The International Atomic Energy Agency (IAEA) has verified that Iran has implemented its key nuclear-related measures described in the JCPOA.

The UN Security Council (UNSC) unanimously adopted Resolution 2231, endorsing the JCPOA and lifting the UNSC sanctions.

Why “decertify” the JCPOA now?

U.S. sanctions relief was more complicated because of a multiplicity of sanctions relating to nuclear and missile activities, human rights violations and terrorism.

Sanctions also had extra-territorial application, implying that third country companies would be penalised if they engaged in activities from which U.S. companies were barred.

The President’s announcement was made in anticipation of an October 15 deadline under the Iran Nuclear Agreement Review Act of 2015 (“INARA”). The objective of the Act was to constrain presidential authority to waive sanctions on Iran.

Under the INARA, every 90 days, the President is obliged to certify to the US Congress that

- Iran is in compliance with the terms of the JCPOA and
- The suspension of sanctions under the JCPOA is appropriate and proportionate to measures taken by Iran to terminate its illicit nuclear program
- It continues to be vital to the national security interests of the United States.
- INARA also obliged the President to provide a report on Iran’s support to terrorism, human rights violations and ballistic missile activities.

The President has made this certification twice and also continued to renew the periodic waivers of US sanctions since he was sworn into office in January 2017, although each time reluctantly.

President would like Congress to make JCPOA permanent and also establish new benchmarks on missile activities and regional behaviour for continuing sanctions relief. However, President’s announcement was made due to the deteriorated relations between President and Senator recently.

Only two countries have applauded US decision — Saudi Arabia praised the U.S.’s firm strategy and Israeli Prime Minister conveyed his congratulations.

What has the response been from the EU so far?

In response to US President’s announcement, UK Prime Minister, German Chancellor and French President, issued a joint statement expressing concern for the potential implications of President’s decision and encouraging the US Congress to consider the effects on the security of both the US and its allies.

- While the leaders also acknowledged a shared concern regarding Iran’s ballistic missile program and a willingness to take appropriate measures in cooperation with the US and other allies, the statement makes clear that they will look to resolve these concerns through negotiations and constructive dialogue with Iran.
- Subsequently, the European Council (“EC”) issued a statement declaring the EU’s continued commitment to the JCPOA and stressing that the JCPOA is a “key element of the nuclear non-proliferation global architecture and crucial for the security of the region.”
- EC statement notes that since the implementation of the JCPOA, the IAEA has verified Iran’s continued compliance with all of its nuclear-related commitments under the JCPOA eight times.
- In line with the joint statement above, the EC reiterated that while it remains concerned with Iran’s development of its ballistic missile program, it contends that such concerns ought to be addressed outside of the JCPOA.
- The European Union (EU) foreign policy chief said that the world cannot afford “to dismantle a nuclear agreement that is working.

What are the implications of US sanctions on Iran?

Other countries have promised to uphold it but their ability to do so will depend on how their companies can be firewalled from U.S. sanctions if they continue their engagement with Iran.

The sanctions often referred to as “secondary sanctions”, which primarily target *non-US companies* engaging in business in or with Iran entirely outside US jurisdiction.

However, implications of the breakdown are not limited to U.S.-Iran relations.

- Iran can make things difficult for the U.S. in Afghanistan as also in Iraq and Syria.
- The U.S.’s ability to work with Russia in Syria or with China regarding North Korea will also be impacted.

- And sooner or later, questions may be asked in Iran about why it should continue with the restrictions and inspections that it accepted under the JCPOA, which would have far-reaching implications for the global nuclear architecture.
- Coming after the rejection of the Trans-Pacific Partnership (TPP), the Paris climate change accord and the North American Free Trade Agreement, President's decision further diminishes U.S. credibility.

24/10 - A flood of questions

Context:

Union Government will begin work in around a month on an \$87 billion scheme to connect some of the country's biggest rivers. The mammoth plan entails linking nearly 60 rivers, including the mighty Ganges, which the government hopes will cut farmers' dependence on fickle monsoon rains by bringing millions of hectares of cultivatable land under irrigation and help generate thousands of megawatts of electricity.

In recent weeks, some parts of India and neighbouring Bangladesh and Nepal have been hit by the worst monsoon floods in years, following two years of poor rainfall.

Introduction

Water is the most important natural resource on the planet, as it sustains all aspects of life in a way that no other resource can. United Nations agencies and the World Bank have claimed that these scarcities will escalate in the future, creating serious problems for humankind and the environment. India needs to adopt a crystal-clear water mission that can help us to use available water resources to fields, villages, towns and industries round the year, without harming our environment.

Keeping in mind the increasing demand for water, the government of India has developed a new National Water Policy which claims that water is a prime natural resource, a basic need and a precious national asset. India's National Water Development Agency (NWDA) has suggested the interlinking of rivers of the country.

The problem of Inter-basin Inequality

Inequality in distribution is the reason why engineers at the CWC and India's water resources ministry have urged for the diverting water from the Ganga basin, which floods even in drought years.

- Storage provides us flexibility in the uses of water.
- Dams are required but whether they must be big or small is something that must be decided based on the region they are located.
- Being able to successfully transfer water through the interlinking of rivers will mean millions of hectares of irrigation, raising the ultimate irrigation potential and generation of 34000 megawatt of power, apart from the incidental benefits of flood control, navigation, and water supply, fisheries, salinity and pollution control, according to the Central government.

Interlinking River Project (ILR)

The interlinking of rivers has two components: the Himalayan component and a Peninsular one. All interlinking schemes are aimed at transferring of water from one river system to another or by lifting across natural basins.

Major advantages of ILR

- Creates the potential to increase agricultural production.
- Avoids the loss of crops because of extreme draught or flood condition.
- Unify the country by involving every Panchayat as a shareholder and implement agency;
- Eradicate the flooding problems which recur in the northeast and the north every year;
- Provide employment opportunities.
- Solves the water crisis situation by providing alternative, perennial water resources;
- The large canals linking the rivers are also expected to facilitate inland navigation too;

Ken-Betwa Link project

Despite opposition from environmentalists, tiger lovers and a former royal family, the first phase of the project will involve construction of a dam on the Ken River, also known as the Karnavati, in north-central India and a 22-km (14-mile) canal connecting it to the shallow Betwa.

- The link will facilitate export of water from drought-prone Bundelkhand to the upper Betwa basin.
- Critics say that there has been no credible environmental impact assessment of the link and no public hearings in canal and downstream affected areas and the link's environmental management plan is still being prepared.
- They also say that the Ken-Betwa link threatens about 200 sq. km of the Panna tiger reserve and with it the Ken River and large parts of Bundelkhand.

The government justifies the Ken-Betwa link, and indeed the river interlinking project as a whole, by saying that it will provide irrigation, water supply, hydropower and flood control.

What are the perils of interlinking of rivers?

Inter-River Linking Project involves multifaceted issues and challenges related to economic, ecological, and social costs.

- Interlinking of rivers is a very expensive
- It has huge adverse environmental impacts on land, forests, biodiversity, rivers and the livelihood of millions of people.
- Social unrest/Psychological damage due to forced resettlement of local people.
- It will not only add to climate change impact but will also reduce our capacity to adapt to climate change.
- The huge expenditure may likely generate fiscal problems that are difficult to handle.
- A section of scientists argue that large dams and reservoirs also cause earthquakes. The controversies over koyna dam, Tehri dam are few such examples.
- Transfer of water is bound to be unacceptable as no state is likely to transfer water to another foregoing possible future use of such water. Domestic and regional geo-politics play a pivotal role on the discussions on ILR as Water is listed as entry 17 in List II of the Seventh Schedule of the Constitution.
- Strained relationship with neighbours. IRL project has caused much anger and protest in our neighbouring nation, Bangladesh.
- In interlinking systems, it is assumed that the donor basin has surplus water that can be made available to the recipient basin. If in future, this basic assumption goes irrational if our perennial Himalayan Rivers don't retain the same character of being donor basins, then the whole concept goes for a toss. This will happen if the glaciers don't sustain their glacier mass due to climate change.

What is the advantage of having Natural resource accounting framework?

India has insufficient data related to the water sector. Many water stressed countries produce these on a regular basis at a regional level and link them to national accounts statistics.

- Water resource accounts provide an accounting framework that enables the integration of specialised physical resource sector data with other information on the economics of water supply.
- In addition to facilitating the integration and sharing of a more comprehensive knowledge base, the natural resource accounting framework provides the basis for evaluating the consistency between the objectives and priorities of water resource management
- It also provides basis for broader goals of economic development planning and policy at a national and local scale.
- This in turn improves communication between various agencies generating and using information about water for various purposes and contributes to better coordination.
- The advantage of such an account is that it makes it possible to capture direct, indirect and induced water demand in the process of economic production.

Way Forward

As this project is of massive estimated cost, a long term planning and a sound financial simulation are required to meet the standard of due diligence for such proposals.

- Comprehensive assessment of all possible impacts in a credible way has to be done.
- Study needs to be conducted on the economic viability of project, socio-economic impacts, environmental impacts
- Preparation of resettlement plans;
- Develop a mechanism for speedy consensus amongst states and prioritize different projects;
- Need of organizational structures for implementing the project;
- Consider funding modalities for the project;
- Consider the international ramifications of the project.
- The problem of providing domestic water supplies in areas away from the rivers will largely remain unsolved, even if the interlinking project is completed. Hence, the focus of our water resources development should also be on how the groundwater lifeline can be sustained.

The government should pay more attention to its 'more crop per drop' mission, to what extent Indian agriculture follows this practice and whether water-stressed regions are water exporters due to the crops they cultivate.

Conclusion

Successful implementation of this project largely looms upon timely release of water from the surplus basin to the deficit basin.

Amidst rapid development and urbanization, out-dated systems of managing water resources; it is the high time for India to come forward in all-out manner to transform this dream project into a big reality.

Fact is that the ILR projects are site and requirement specific depending upon the hydrological, geological, topographical and regional conditions. So, it is essential that needed environmental safeguards are properly implemented in a coordinated manner by various agencies.

25/10 - It's time to make deep emission cuts

Context:

In 2016, the earth's temperature was 1.3°C warmer than in pre-industrial times. More dishearteningly, even if countries take the action they promised at the Paris climate change conference in 2015, the world would be about 3°C warmer by 2100, well above the 2°C temperature guardrail to avoid dangerous climate change.

Human activities like excessive use of fossil fuels and changed land uses are responsible for the release of greenhouse gases (GHGs) and associated global warming.

Why is there a consensus amongst the scientific community to rely on 'negative emissions'?

The current pattern of increasing emissions needs a rapid phase down. The reason why bringing down emissions – even to zero – will not be enough to stabilize the climate is because the level of carbon dioxide in the atmosphere is already particularly unsafe.

NASA scientists can tell that these levels are higher than they have been at any time in the past 400,000 years. Today's concentration of CO₂ in the atmosphere is above 400ppm which is comparable to this during the Eemian period, a time much warmer than what *Homo Sapiens* ever experimented and when sea levels were between 20 and 30 feet higher than currently observed.

Facing this reality, there is a consensus amongst the scientific community to develop revolutionary technologies like 'negative emissions' to remove existing and accumulating carbon dioxide from the atmosphere.

Closer examination reveals that many of the integrated assessment models used to study future emissions assume that the world would somehow make use of significant amounts of 'negative emissions'. These negative emissions in the models are used in addition to increasing use of renewables and improving the efficiency of energy services.

What are negative emissions?

'Negative emissions' are nothing but the removal of carbon from the atmosphere. These are ways to remove carbon dioxide from the atmosphere, or even change the earth's radiation balance through geo-engineering.

- This can be done naturally, such as by protecting and restoring degraded forests so they become carbon sinks and better agricultural practices that leave carbon in the ground.

- Some also claim that the earth's radiation balance can be changed through geo-engineering, for instance by burning bioenergy, capturing the carbon released, and pumping it into underground geological reservoirs. This is known as Bioenergy, Carbon, Capture and Storage (BECCS).

Why does relying on geo-engineering models risky? / Why does the prospect of limiting global warming through 'negative emissions' bleak?

Some scientists have been discussing the possibility of injecting cooling aerosols at a large scale in the atmosphere, but these geo-engineering technologies pose huge risks and are also not long-term solutions.

Few Environmentalists believe that

- Geo-engineering projects are used as an excuse to keep burning fossil fuels despite unproven benefits.
- They will have unacceptable ecological and social impacts if used at an industrial scale.
- They cannot ensure stored carbon is not released through human or natural forces, including climate change.
- Due to competition for land for food and other purposes, and due to technological limitations, this approach is believed to be inappropriate for extensive use.
- Other methods to suck carbon dioxide from the atmosphere and increase carbon dioxide absorption by the oceans are also being explored, but their long-term implications are not clear
- These models can pose a severe risk to society, especially to the poorest countries, which will experience the worst impacts of climate change. The irony is that these poor countries have emitted the least amount of GHGs.
- Negative emissions also create a moral hazard problem, where we expect (future) others to bail us out while we continue to lead profligate lives.

If negative emissions become feasible in future, they could help the world stay on course in reducing warming, but this cannot be assumed while we are running short of the carbon space available to escape dangerous climate change.

Way forward

Climate change has already been experienced in many parts of the world with several seasons of intense storms, droughts, floods, fires. Any further delay in reducing emissions would put at risk many more lives, livelihoods and investments for decades to come. Hence,

- Economic growth as usual cannot be reconciled with climate impacts, especially as Earth continues to warm.
- Scientists need to speak openly and freely about the dangers of climate change without leaning on euphemisms.
- Policies therefore need to support practices that successfully keep carbon in the ground, prevent deforestation, support agricultural practice that sequesters carbon and promote sustainable land use practices that reduce emissions.
- Needed one carbon tax.
- 'Lifestyle' and other consumption activities that may have hitherto been outside the radar of climate policy because they disturb the status quo would have to be considered.
- Policies should push especially the more prosperous communities towards less carbon intensive lifestyles, either through taxes or incentives or both.

In addition, the path to zero-emissions must be progressive and in line with the progress of carbon-neutral fuels such as hydro, solar and wind.

26/10 - With or without the veto

Context:

US ambassador to the United Nations (Nikki Haley) said that America was open to UN reforms to expand the permanent membership of the security council but the key for India to get there would be to "not touch" the issue of veto power that current members are neither willing to share nor give up.

However, the Indian "government sources" stated that there was no change in India's stand that it should have "the same obligations, responsibilities and prerogatives as the existing permanent members of the Security Council."

Background:

India believes that the United Nations (UN), especially the UN Security Council (UNSC), must reflect contemporary global realities. For this purpose the reform of the UN including the expansion of the UNSC in both permanent and non-permanent categories is essential.

To this end, the Government of India has been actively working along with other like-minded countries for building support among the UN membership for a meaningful restructuring and expansion of the UNSC.

Why is UNSC reform necessary?

The current permanent members of the Security Council are the five nations that were made permanent members in the charter when the United Nations was founded. These countries were the victors in the World War II and China were their allies. UNSC reform is the need of the hour because,

- UNSC still reflects the geopolitical architecture of the Second World War.
- It was expanded only once in 1963 to add 4 non-permanent members.
- Since then the membership of the United Nations has increased from 113 to 193 without any change in the composition of the UNSC.
- No permanent member from Africa, despite 75% of work of the UNSC focused on Africa.
- Unable to respond effectively to situations of international conflict.
- India and a large number of countries believe that the current UN and its powerful Security Council does not reflect the ground realities of the 21st century.

What are the India's credentials to become UNSC permanent member?

India has been an extensive contributor to the activities of the UN particularly the maintenance of international peace and security.

- By any objective criteria such as population, territorial size, GDP, economic potential, civilizational legacy, cultural diversity, political system and past and on-going contributions to the activities of the UN, India is suited for permanent membership of an expanded UNSC.
- India's performance as a non-permanent member of the Security Council during 2011- 2012 has also significantly strengthened India's claim to permanent membership.

Based on these credentials, the Government of India has strongly put across to the international community India's case for permanent membership of the Security Council.

What are the efforts made by India for its quest for being represented in the permanent category?

For a long time, India has been calling for reform of the UN Security Council.

- India along with Brazil, Japan and Germany (together known as the G-4) has proposed expansion of the membership of the UNSC in both the permanent and non-permanent categories.
- Separately, India is spearheading a group of around 42 developing countries from Asia, Africa and Latin America – called the L.69 Group – which has demanded urgent action on the UNSC reform front.
- India is also pursuing the matter through bilateral channels with our interlocutors.
- Last month, foreign ministers of G4 countries met in New York on the sidelines of the UN General Assembly to push their case for reform of the UNSC.

A large number of countries have supported India's initiatives for reform of the UNSC as well as endorsed its candidature for permanent membership. India has also received support from several other multilateral groupings including BRICS and IBSA.

What is the U.S. stand?

US told all members of the UN that it is in support of Security Council reform, as long as its veto power is not taken away.

- However, the new candidates were only demanding the same veto power for themselves, and the U.S. and other permanent members were firm in rejecting such demands.

- US ambassador to the UN, latest comment was even more specific about the veto.
- Statement said that the key to India becoming a permanent member of the UN Security Council is “not to touch the veto”,

What is stand of other four permanent members on UNSC reforms?

- Among the permanent members, the opinion of France was closest to India’s in the sense that it supported the addition of five new permanent members, including India, without any objection to veto being extended to them.
- The U.K. supported the G-4 without the power of veto.
- Russia, an old supporter of India, was non-committal
- China indicated that the time had not come for any serious negotiations on the subject.

What is the expected impact of India’s permanent membership?

- New included members will get to say in the matters of war and peace.
- India can represent or lead other countries to stop western forces from promoting their vested interests.
- Will help India to put forward its interest in a better way.
- India will have leverage in geopolitics, military, economic and political groupings and negotiations as permanent member of UNSC.

The way ahead

India’s claim for permanent membership is a genuine demand in the changed geo politics of 21st century.

US ambassador’s statement opens up the possibility of permanent membership for India without veto. A draft resolution circulated by the candidates (G-4) had already conceded that they would not expect to have the veto at least for 15 years. Thus a meeting point has emerged between the U.S. and G-4.

India should pursue the lead offered by the U.S. to end the deadlock over the Security Council’s expansion.

27/10 - A bold step in bank reform

Context:

The Centre unveiled an ambitious plan to infuse ₹2.11 lakh crore capital over the next two years into public sector banks (PSBs). 1.35 lakh cr. will be through sale of recapitalization of bonds.

Introduction

PSBs are burdened with high, non-performing assets and facing the prospect of having to take haircuts on loans stuck in insolvency proceedings. Indiscriminate lending earlier by banks is the main reason for high level of NPAs (non-performing assets).

The government’s capitalisation package for public sector banks will provide a strong booster dose of relief for the capital starved public sector banks.

Why does recapitalizing PSBs a more effective remedy?

With India’s economic growth faltering in the last couple of years, the government has been casting about for ways to galvanise the economy like Demonetisation and introduction of GST. Its economic benefits will be long in coming while the short-term disruption has been very real.

- Recapitalising public sector banks (PSBs) and enhancing the flow of credit is critical for revitalising India’s growth momentum at a time when the global economy is recovering.
- The move is vital for the slowing economy as private investments remain elusive in the face of the “twin-balance sheet problem” worrying corporate India and public sector banks reflected in slow bank credit growth.

What is the Twin Balance Sheet Problem of India?

Twin Balance Sheet Problem (TBS) deals with two balance sheet problems. One with Indian companies and the other with Indian Banks. TBS is two two-fold problem for Indian economy which deals with:

- Overleveraged companies – Debt accumulation on companies is very high and thus they are unable to pay interest payments on loans.
- Bad-loan-encumbered-banks – Non Performing Assets (NPA) of the banks is 9% for the total banking system of India. It is as high as 12.1% for Public Sector Banks. As companies fail to pay back principal or interest, banks are also in trouble.

Indian PSBs: NPAs and capital needed

Higher cost, lower revenues, greater financial costs-all squeezed corporate cash flow leading to NPAs in the banking sector.

- 'Capital' is a combination of equity, equity-like instruments and bonds.
- For a given balance sheet, there is a certain minimum of capital that banks must hold. This is called 'capital adequacy'. The higher the capital is above the regulatory minimum, the greater the freedom banks have to make loans. The closer bank capital is to the minimum, the less inclined banks are to lend. If capital falls below the regulatory minimum, banks cannot lend or face restrictions on lending.
- When loans go bad and turn into non-performing assets (NPAs), banks have to make provisions for potential losses. This tends to erode bank capital and put the brakes on loan growth.
- 'Stressed advances' (which represent non-performing loans as well as restructured loans) have risen from a little over 10% in 2012-13 to 15% in 2016-17. This has caused capital adequacy at PSBs to fall.

In this context, for bailing out of stressed Banks, the role recapitalization is very significant.

Provisioning of NPA, how it is done by banks?

Provisioning is made by Banks to make up for reduction of asset value in their advances portfolio. The amount is calculated on the basis of RBI guidelines on income recognition, asset classification and provisioning.

Assets are classified into four categories like standard, sub-standard, doubtful and loss.

- All advances where interest and instalments are served in time are called standard assets.
- However, where interest instalments are not served for 90 days and more are considered as sub-standard.
- Assets which remain in sub-standard category for one year are considered doubtful.
- Apart from these, the assets which are noticed by Bank's Statutory Auditors and RBI Inspectors, where asset value is completely eroded are considered loss assets.
- 100% provision is made for both Loss as well as Doubtful assets by Banks.
- If asset value is unsecured full provisioning is made for unsecured portion of doubtful assets like that of loss assets.
- In case of sub-standard assets a general provision of 15% of advance amount is provided. However, if advance is unsecured, then an additional 10% is provided as a part of risk management strategy.

Where it is unrealized, legal measures are taken through SARFAESI Act, and DRT (Debt Recovery Tribunal).

What are the causes of deceleration in credit growth?

Poor demand:

Some observers ascribe the deceleration in credit growth to poor demand. They say that corporates have excessive debt and are in no position to finance any investment. This may be true of large corporates. Moreover, demand for investment finance may have decelerated but demand for working capital remains strong.

Supply of credit:

The government has realised that there is a problem with the supply of credit. It has to do with PSBs' inability to lend for want of adequate capital.

- Market estimates had placed the requirement of government capital at a minimum of ₹2 lakh crore over a four-year period.
- In 2015, under the Indradhanush Plan, the government chose to commit a mere ₹70,000 crore over the period.

1. PSBs, unlike their private sector counterparts, had lent heavily to infrastructure and other related sectors of the economy. Following the global financial crisis of 2007, sectors to which PSBs were exposed came to be impacted in ways that could not have been entirely foreseen.
2. The failure to quickly recapitalise PSBs has adversely impacted the economy.
 - It has hindered the effective resolution of the NPA problem and kept major projects from going through to completion.
 - Corporates are stuck with high levels of debt and are unable to make fresh investments.

What is the source of funds for Recapitalization by government?

- Of the ₹2.11 trillion package, ₹1.35 trillion will be towards issue of recapitalisation bonds. PSBs will subscribe to these bonds. The government will plough back the funds into banks as equity.
- Another ₹180 billion will be provided as budgetary support.
- The remaining ₹580 billion will be raised from the market.
- Analysts believe the package should enable banks to provide adequately for NPAs and support modest loan growth. Once PSBs have enough capital, they can liquidate excess holding of government securities and use the cash to make more loans.

Fiscal impact of the recapitalisation package

Analysts worry about the fiscal impact of the recapitalisation package.

- International norms allow borrowings for bank recapitalisation not to be counted towards the fiscal deficit.
- In the past, India has used this accounting practice.
- The proposed recapitalisation bonds are likely to add to the fiscal deficit unless the government resorts to other practice such as getting the Life Insurance Corporation of India or a separate holding company to issue the bonds.
- The International Monetary Fund has documented 140 episodes of banking crises in 115 economies in the world in the period 1970-2011. The median cost of bank recapitalisation in these crises was 6.8% of GDP. India's cost of recapitalisation over a 20-year period is less than 1% of the average GDP during this period.

Way Forward

The government should not worry unduly about missing the fiscal deficit target of 3.2% of GDP. The markets will understand that the fiscal stimulus is well spent.

The government has shown courage in opting for substantial recapitalisation of banks. This is not something that fits into the 'reform' mantra whereby private is good and public is bad.

Reserve Bank of India Governor has welcomed the move in effusive terms: "The Government of India's decisive package to restore the health of the Indian banking system is in the view of the [RBI] a monumental step forward in safeguarding the country's economic future."

28/10 - All the roads that lead to Kabul

Context:

U.S. Secretary of State reprimanded Pakistan for not doing enough against terrorists operating from its soil. At the same time, Afghan President in New Delhi was underlining that the time had come for Islamabad to make a choice between abandoning state sponsorship of terrorism and facing the consequences.

Afghan President's visit came at a time when the US (Trump) administration's South Asia policy has underscored India's centrality in the 'Af-Pak' theatre.

As Washington plans to increase its military footprint in Afghanistan, it is tightening the screws on Pakistan for supporting terrorism as an instrument of state policy. Both Washington and Kabul now view New Delhi as a player with considerable leverage over the evolving regional dynamic.

Highlights of recent Afghan President's visit to India:

- Regional counter-terror efforts and enhancing India's defence assistance to Kabul were discussed.
- New South Asia policy of the U.S was appreciated by both the countries. It is viewed as an opportunity for lasting peace and stability in Afghanistan & South Asia.

New US South Asia policy:

A central feature of the Trump administration's new Afghanistan policy is an outreach to India. US appreciated India's important contributions to stability in Afghanistan and wants India to help them more with Afghanistan, especially in the area of economic assistance and development.

- Deployment of additional US troops soldiers to train and buttress Afghan forces with gradual pull out plans at apt period as a hasty withdrawal would create a vacuum for terrorists.
- Strong focus on Pakistan to make sure it abides by its commitments. Pakistan being watched closely by his administration to keep check on the country becoming safe havens for terrorist organizations.
- US administration's South Asia policy is to further develop the US's strategic partnership with India. India was viewed as part of the problem and now Trump is arguing that India should be viewed as part of a solution to the Afghan imbroglio.

Reaction from Kabul after US president unveiled his policy

Kabul has wholeheartedly embraced this strategy, with Afghan President terming it a "game-changer" for the region as it "recommends multi-dimensional condition-based approach for the region."

- In Delhi, Afghan President was categorical in attacking Pakistan by suggesting that sanctuaries are provided, logistics are provided, training is provided, and ideological bases are provided.
- In a remarkable move, he went on to suggest that Afghanistan would restrict Pakistan's access to Central Asia if it is not given access to India through the China-Pakistan Economic Corridor (CPEC) project.
- The Indo-Afghan air corridor could be an effective response to Pakistan's attempt to deny India and Afghanistan any direct access.
- It strongly rejected Islamabad's claims that India was using Afghanistan as a base to destabilise Pakistan.
- President made it clear that there were "no secret agreements" between Kabul and New Delhi.
- Also rejected "Pakistan-managed" efforts to broker peace in the country,

India's commitment to Peace in Afghanistan

- In line with Kabul's response India too has emphasised that it believes peace efforts in Afghanistan should be "Afghan-led" and "Afghan-controlled".
- India continues to maintain that renunciation of violence and terror, and closure of state-sponsored safe havens and sanctuaries remain essential for any meaningful progress and lasting peace.
- Afghanistan had participated in the sixth Quadrilateral Coordination Group meeting along with the U.S., China and Pakistan in Muscat, Oman, on October 16 in an attempt to revive stalled peace talks with the Taliban.
- National Security Advisor of India had gone to Kabul to assess these developments on the same day.

India – Afghanistan recent developments:

In recent years, India has not shied away from taking a high-profile role in Afghanistan.

It remains one of the biggest donors of aid to Afghanistan, having committed \$3.1 billion since 2001.

- Training of Afghan personnel at Indian military academies.
- India's agenda is to build the capacity of the Afghan state as well as of Afghan security forces, enabling them to fight their own battles more effectively. This is in line with the requirements of the Afghan government as well as the international community.
- India-Afghanistan Trade and Investment Show in New Delhi generated business worth over US \$ 200 million.
- Opening of the air freight corridor between Kandahar and Kabul and Delhi.

- Afghan cities of Mazar-e-Sharif and Herat have been connected directly by air to Delhi.
- Recently, it announced that it will be working on 116 new development projects in more than 30 areas

The need of the hour

Expanding India's development role further and enhancing its security profile with greater military assistance to Afghanistan should be a priority as new strategic opportunities open up in Afghanistan.

- While the U.S. has its own priorities in the 'Af-Pak' theatre, India's should be able to leverage the present opening to further its interests and regional security.
- The recent bout of diplomatic activity in the region is a clear signal that India can no longer be treated as a marginal player in Afghanistan.
- Even Russia wants to keep India in the loop, as was underscored by Moscow's special envoy on Afghanistan (Zamir Kabulov's) visit to New Delhi for consultations in September.

India must expand its development role further and enhance its security profile in Afghanistan.

Conclusion

Trump's South Asia policy is a remarkable turnaround for Washington which had wanted to keep India out of its 'Af-Pak' policy for long for fear of offending Rawalpindi.

India was viewed as part of the problem and now the Trump administration is arguing that India should be viewed as part of a solution to the Afghan imbroglio. This is a welcome change and holds significant implications for India, Afghanistan and the wider region.

30/10 - Complicated terms of engagement

Context:

On October 17, the Supreme Court read down the marital rape exception for married girls between the ages of 15 and 18.

The judgment is prospective in nature.

The court held that since sexual assault in marriage is already a crime under the Protection of Children from Sexual Offences Act, 2012 (POCSO), it is discriminatory and arbitrary to suspend the protection of the rape law for these underage married girls.

Laws of the land for the rescue of Girl child

The Prohibition of Child Marriage Act of 2006

- The Prohibition of Child Marriage Act, 2006 prohibits the validation of child marriages wherein a child means a person who if male has not yet completed 21 years, and if female not yet 18 years.
- Every child marriage, whether solemnised before or after the Act came into effect, can be made void by either the man or the woman within two years of attaining majority.
- Karnataka has passed a law making all child marriages void.

Protection of Children from Sexual Offences Act

- POCSO privileges age to define to a child, wherein consent of a child is not a defence to sexual assault.
- Sexual consent is defined as an adult category.
- Hence, the argument that marriage presumes consent is not acceptable in the law on sexual assault of children.
- POCSO defines a child, (irrespective of gender) as a person under the age of 18 years, which prevents the "inducement or coercion of a child to engage in any unlawful sexual activity".
- It mandates the Central and State governments to take all measures to ensure publicity to the provisions of the Act and obliges government officials to be trained in how to implement the Act.
- The brief of any government is to act to secure the best interests of the child since the Indian state acceded in 1992 to the UN General Assembly's Convention on the Rights of the Child.

Why is Child marriages still practiced in India?

Child marriage is a specific form of customary practice arranged by parents or male community elders.

- These may be community marriages dictated by religious calendars or by caste customs.
- These are a distinct form of early marriages in which the consent of the patriarch of the family or elder determines the matrimonial fate of the child.
- Different customary and personal laws are existed wherein the age at which a girl can be married is lower than the legal age of marriage.

Feminists critiqued the prevailing conditions for Girl child

- Feminists have critiqued the custodial violence of the family and the state towards women who marry of choice.
- They have protested against familial and state violence towards daughters.
- At the same time, feminists have also insisted on bringing to the law recognition of sexual assault of children, irrespective of gender.
- They have also gendered the notion of childhood. Feminists have also elaborated how adolescence is gendered.

What is the conflict between IPC 375 and POCSO Act?

- Till now sexual intercourse with minor wife did not amount to rape if she was over 15 years of age.
- This was in the Indian Penal code (IPC) as an exception to Section 375 which is the law of the land regarding Rape.
- This exception meant that the husband was not charged with Rape even though child marriage is a crime. Hence under previous exception minor girl's husband can have non-consensual sexual intercourse with her, without being penalised under the IPC, simply because she is married to him and for no other reason.
- This came into conflict with 2012 POCSO (Protection of Children from sexual offences) Act that defines 'children' as those aged below 18.

In a land mark judgement SC on October 11, 2017 criminalised the sex with wife aged between 15 and 18 years.

Why does the SC judgement a major relief to the child bride?

- Though child marriage is prohibited, it is not automatically void under India's civil laws. The court criticised the fact that PCMA (Prohibition of Child Marriage Act of 2006) makes child marriage only voidable, that is, the burden is placed on the child bride to approach a court to declare her marriage a nullity. She has to do this within two years of attaining majority that is by the time she is 20 years old. If not, the marriage continues.
- The judgement is a major relief to the child bride because an unmarried girl child can prosecute her rapist, but a married girl child aged between 15 and 18 could not even do that due to the exception given to the Section 375, IPC.

What is the significance of SC judgement?

Traditionalists make an argument for de-criminalisation of compulsory sex within child marriage arranged by elders and dictated by custom. In this context, SC judgement is significant because-

- The Supreme Court decision makes it clear that sexual consent can only be given by an adult woman of 18 years.
- In other words, consent to sex in underage marriage cannot be assumed by the husband nor can parents give such consent on behalf of the underage minor.
- Child marriage has historically cast a shadow over rape law reform in India.
- The Supreme Court judgment rightly reversed the position that the jurisdiction of sexual impunity of husbands must lie with customary or personal law through the marital rape law exception.

State's argument against SC judgement

State argued that

- Marriage presumes consent;
- Compulsory sex in child marriage is protected by customary or personal law;
- Husbands of child brides must have impunity from the rape law;

- Poverty and lack of development means compulsory sex in child marriage must be de-criminalised.

However, the Supreme Court set aside these arguments.

The question of sexual consent should be an Individual choice

The question of sexual consent is clearly one that must lie with the individual woman.

- Parents, elders, political parties, priests or vigilante groups should not be permitted to force women, adult or minor, into marriage or compulsory heterosexuality.
- The Supreme Court rightly holds that the 'the girl child must not be deprived of her right of choice'.
- The right to choose, which is free and unfettered, includes freedom from parental pressure to marry early, freedom from forced marriages, freedom of choice of sexual orientation, and freedom to find self-fulfilment through study, work, profession, vocation or talent.
- Forcing young persons into compulsory heterosexuality should be seen as a social evil.

Conclusion

- A child remains a child whether she is described as a street child or a surrendered child or an abandoned child or an adopted child. Similarly, a child remains a child whether she is a married child or an unmarried child or a divorced child or a separated or widowed child.
- Union of India also cannot be unconscious to the existence of the trauma faced by a girl child who is married between 15 and 18 years of age.

31/10 - Devaluing high courts

Context:

Critics say that the jurisdiction of our 24 High Courts has been subject to relentless attack from Parliament, and, even the Supreme Court.

Introduction

For the framers of our Constitution, high courts, occupied a central position. They were conceived as a forum for adjudicating disputes under the Constitution, Central and State statutes before they moved to the Supreme Court; their jurisdiction was more extensive than the Supreme Court's. In contrast to the American model of a bifurcated federal and state judiciary, our high courts resolve all disputes.

Original jurisdiction of High Court

The Constitution of India does not give a detailed description of the original jurisdiction of the High Court. It is accepted that the original jurisdiction of a High Court is exercised by issue of Writs to any person or authority including Government.

- Article 226 of the Constitution vests in the High Court the power to issue writs for the restoration of fundamental rights.
- This power of the High Court does not derogate the similar power conferred on the Supreme Court in Article 32 of the Constitution.
- The original jurisdiction of the High Courts also extends to the matters of admiralty, probate, matrimonial and contempt of Court cases.
- The High Courts have also full powers to make rules to regulate their business in relation to the administration of justice. It can punish for its own contempt.

SC ruled that High Courts' power of judicial review under Article 226 invoked only when there is breach of law or violation of the Constitution. (This ruling of the Court came in light of a judgment of the Rajasthan High Court, wherein the High Court had taken suo moto cognizance of a breach of security matter at the Sanganer Airport and included the Chief Justices and the Judges of the High Court in the list of persons exempted from pre-embarkation security checks at airports.)

Appellate Jurisdiction of High Court

The appellate jurisdiction of High Court extends to both civil and criminal cases.

- In civil cases, its jurisdiction extends to cases tried by Courts of Munsifs and District judges.
- In the criminal cases it extends to cases decided by Sessions and Additional Sessions Judges.

Thus, the jurisdiction of the High Court extends to all cases under the State or federal laws.

- Its jurisdiction can be enlarged by the Parliament and the State Legislature.
- The Parliament exercises exclusive power to make laws touching the jurisdiction and power of all Courts with respect to the subjects on which it is competent to legislate.
- It can also legislate on subjects enumerated in the Concurrent List.
- Likewise a State Legislature has power to make laws touching the jurisdictions and powers of all Courts within the State with respect to all subjects enumerated in the State List and the Concurrent List. But as regards the subjects in the Concurrent List the Union law prevails in case of conflict.

HC's Power of Superintendence:

A High Court has also the power of superintendence over all Courts and Tribunals except those dealing with the armed forces functioning in the State.

- This power has made the High Court responsible for the entire administration of Justice in the State.
- It is both judicial as well as administrative in nature.
- The Constitution does not place any restriction on its power of superintendence over the subordinate Courts. It may be noted the Supreme Court has no similar power vis-a-vis the High Court.

How does Tribunalisation side-stepping the authority of HC?

Tribunals have replaced high courts for disputes under the Companies Act, Competition Act, SEBI Act, Electricity Act, and Consumer Protection Act among others.

In general sense, the 'tribunals' are *not courts of normal jurisdiction*, but they have very specific and predefined work area. These tribunals do not enjoy the same constitutional protection as high courts.

Any person aggrieved by an order of an appellate tribunal can directly appeal to the Supreme Court, side-stepping the high court.

This raises several institutional concerns.

- The enormous institutional investment to protect the independence of high courts is dispensed with when it comes to tribunals.
- Many tribunals still owe allegiance to their parent ministries.
- Critics say that Tribunals are also not as accessible as high courts. This makes justice expensive and difficult to access.
- Further, the justification of expert adjudication by tribunals disappears as many tribunals preside over by retired high court judges.

Appeals against tribunal order go straight to Supreme Court

In the initial years, several issues came to the Supreme Court after high courts grappled with those issues. However, now a direct right of appeal Tribunals directly conferred to the Supreme Court.

- This has sometimes changed the Supreme into to a mere appellate court.
- SC has become a final clearing house for every appeal under every statute.
- The Supreme Court should be a court of last resort deciding cases of the moment, and not a final forum with an all-embracing jurisdiction over disputes ranging from a custody battle to the scope of a municipal by-law.

Issue of backlog

A backlog of over 58,000 cases in the Supreme Court precludes it from being a deliberative court reflecting over critical questions of law. It can affect the quality of the court's jurisprudence.

- High courts are the training grounds for future Supreme Court judges. When high court judges deal with several cases under a particular area of law, they carry with them the benefit of their experience and insights to the Supreme Court.
- Critics say that when same high courts are side-stepped in favour of tribunals, Supreme Court judges hearing appeals from tribunals would have to deal with the finer nuances of disputes under specialised areas of law for the very first time. This is not ideal for a court of last resort.

How did jurisdiction of high courts undermine by the Supreme Court?

The jurisdiction of high courts is also undermined by the Supreme Court when it directly entertains various writ petitions.

- When the Supreme Court exercises original jurisdiction, it deprives the citizen and the state of the right to challenge potentially erroneous orders.
- This difficulty becomes even more acute when the Supreme Court takes on a legislative role by framing guidelines in the larger public interest.
- Neither the individual nor the state has an effective remedy to challenge these norms.

Way forward

There are several institutional benefits when a case travels from high court to the Supreme Court. The Supreme Court is wiser by a well-considered high court ruling.

The Supreme Court is in a better position to resolve a dispute when it is confronted with two conflicting high court rulings on the same issue. In the triple talaq ruling, it benefited from prior high court decisions on the nuances of Muslim personal law.

It must be ensured that the high courts should not lose their prominence in India's justice delivery system.

There is an issue of growing number of vacancies in India's 24 high courts. The dispute between the Supreme Court and the Union government on the Memorandum of Procedure is at the root of the vacancy problem. The Centre must move energetically on finalizing the MoP and clearing the vacancies.

The way ahead may also lie in the creation of specialised divisions in high courts for tax, company law and environmental disputes.

Question Papers**Examination: UPSC Civil Services MAINS 2017****ESSAY**

Instructions: Write **TWO** essays, choosing **ONE** from each of the following Section A & B, in about 1000-1200 words each:

Time Allowed : Three Hours

Maximum Marks : 250

Section – A

1. Farming has lost the ability to be a source of subsistence for majority of farmers in India.
2. Impact of the new economic measures on fiscal ties between the union and states in India.
3. Destiny of a nation is shaped in its classrooms.
4. Has the Non- Alignment Movement (NAM) lost its relevance in a multipolar world?

Section – B

1. Joy is the simplest form of gratitude.
2. Fulfillment of 'new woman' in India is a myth.
3. We may brave human laws but cannot resist natural laws.
4. 'Social media' is inherently a selfish medium.

GENERAL STUDIES (PAPER-I)

Time Allowed : Three Hours

Maximum Marks : 250

ALL questions are compulsory.

Answers to questions no. 1 to 10 should be in **150 words**, whereas answers to questions no. 11 to 20 should be in **250 words**.

Keep the word limit indicated in the questions in mind.

1. How do you justify the view that the level of excellence of the Gupta numismatic art is not at all noticeable in later times? (150 words) 10
2. Clarify how mid-eighteenth century India was beset with the spectre of a fragmented polity. (150 words) 10
3. Why did the 'Moderates' failed to carry conviction with the nation about their proclaimed ideology and political goals by the end of the nineteenth century? (150 words) 10
4. What problems are germane to the decolonization process in the Malay Peninsula? (150 words) 10
5. How does the Juno Mission of NASA help to understand the origin and evolution of the Earth? (150 words) 10
6. "In spite of adverse environmental impact, coal mining is still inevitable for development". Discuss (150 words) 10
7. Mention the advantages of the cultivation of pulses because of which the year 2016 was declared as the International Year of Pulses by United Nations. (150 words) 10
8. How does the cryosphere affect global climate? (150 words) 10
9. In the context of the diversity of India, can it be said that the regions form cultural units rather than the States? Give reasons with examples for your view point. (150 words) 10
10. What are the two major legal initiatives by the State since Independence addressing discrimination against Scheduled Tribes (STs)? (150 words) 10
11. The spirit of tolerance and love is not only an interesting feature of Indian society from very early times, but it is also playing an important part at the present. Elaborate. (250 words) 15
12. Examine how the decline of traditional artisanal industry in colonial India crippled the rural economy. (250 words) 15
13. Highlight the importance of the new objectives that got added to the vision of Indian Independence since the twenties of the last century. (250 words) 15

14. Account for variations in oceanic salinity and discuss its multi-dimensional effects. (250 words) 15
15. Petroleum refineries are not necessarily located nearer to crude oil producing areas, particularly in many of the developing countries. Explain its implications. (250 words) 15
16. In what way can floods be converted into a sustainable source of irrigation and all-weather inland navigation in India? (250 words) 15
17. What characteristics can be assigned to monsoon climate that succeeds in feeding more than 50 percent of the world population residing in Monsoon Asia? (250 words) 15
18. The women's questions arose in modern India as a part of the 19th century social reform movement. What are the major issues and debates concerning women in that period? (250 words) 15
19. Distinguish between religiousness/religiosity and communalism giving one example of how the former has got transformed into the latter in independent India. (250 words) 15
20. "The growth of cities as I.T. hubs has opened up new avenues of employment, but has also created new problems". Substantiate this statement with examples (250 words) 15

GENERAL STUDIES (PAPER-II)

Time Allowed : Three Hours

Maximum Marks : 250

ALL questions are compulsory.

Answers to questions no. **1 to 10** should be in **150 words**, whereas answers to questions no. **11 to 20** should be in **250 words**.

Keep the word limit indicated in the questions in mind.

1. "The local self government system in India has not proved to be effective instrument of governance". Critically examine the statement and give your views to improve the situation. (150 words) 10
2. Critically examine the Supreme Court's judgement on 'National Judicial Appointments Commission Act, 2014' with reference to appointment of judges of higher judiciary in India. (150 words) 10
3. 'Simultaneous election to the Lok Sabha and the State Assemblies will limit the amount of time and money spent in electioneering but it will reduce the government's accountability to the people' Discuss. (150 words) 10
4. How do pressure groups influence Indian political process? Do you agree with this view that informal pressure groups have emerged as powerful than formal pressure groups in recent years? (150 words) 10
5. Discuss the role of Public Accounts Committee in establishing accountability of the government to the people. (150 words) 10
6. To ensure effective implementation of policies addressing water, sanitation and hygiene needs, the identification of beneficiary segments is to be synchronized with the anticipated outcomes' Examine the statement in the context of the WASH scheme. (150 words) 10
7. Does the Rights of Persons with Disabilities Act, 2016 ensure effective mechanism for empowerment and inclusion of the intended beneficiaries in the society? Discuss (150 words) 10
8. Hunger and Poverty are the biggest challenges for good governance in India still today. Evaluate how far successive governments have progressed in dealing with these humongous problems. Suggest measures for improvement. (150 words) 10
9. 'China is using its economic relations and positive trade surplus as tools to develop potential military power status in Asia', In the light of this statement, discuss its impact on India as her neighbor. (150 words) 10
10. What are the main functions of the United Nations Economic and Social Council (ECOSOC)? Explain different functional commissions attached to it. (150 words) 10
11. Explain the salient features of the constitution (One Hundred and First Amendment) Act, 2016. Do you think it is efficacious enough 'to remove cascading effect of taxes and provide for common national market for goods and services'? (250 words) 15

12. Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy. (250 words) 15
13. The Indian Constitution has provisions for holding joint session of the two houses of the Parliament. Enumerate the occasions when this would normally happen and also the occasions when it cannot, with reasons thereof. (250 words) 15
14. To enhance the quality of democracy in India the Election Commission of India has proposed electoral reforms in 2016. What are the suggested reforms and how far are they significant to make democracy successful? (250 words) 15
15. Is the National Commission for Women able to strategize and tackle the problems that women face at both public and private spheres? Give reasons in support of your answer. (250 words) 15
16. The emergence of Self Help Groups (SHGs) in contemporary times points to the slow but steady withdrawal of the state from developmental activities'. Examine the role of the SHGs in developmental activities and the measures taken by the Government of India to promote the SHGs. (250 words) 15
17. Initially Civil Services in India were designed to achieve the goals of neutrality and effectiveness, which seems to be lacking in the present context. Do you agree with the view that drastic reforms are required in Civil Services? Comment (250 words) 15
18. The question of India's Energy Security constitutes the most important part of India's economic progress. Analyze India's energy policy cooperation with West Asian Countries. (250 words) 15
19. The question of India's Energy Security constitutes the most important part of India's economic progress. Analyze India's energy policy cooperation with West Asian Countries. (250 words) 15
20. Indian Diaspora has an important role to play in South-East Asian countries' economy and society. Appraise the role of Indian Diaspora in South- East Asia in this context (250 words) 15

GENERAL STUDIES (PAPER-III)

Time Allowed : Three Hours

Maximum Marks : 250

ALL questions are compulsory.

Answers to questions no. 1 to 10 should be in **150 words**, whereas answers to questions no. 11 to 20 should be in **250 words**.

Keep the word limit indicated in the questions in mind.

1. Among several factors for India's potential growth, savings rate is the most effective one. Do you agree? What are the other factors available for growth potential? (Answer in 150 words) 10
2. Account for the failure of manufacturing sector in achieving the goal of labour-intensive exports rather than capital-intensive exports. Suggest measures for more labour-intensive rather than capital-intensive exports. (Answer in 150 words) 10
3. Examine the developments of Airports in India through Joint Ventures under Public-Private Partnership (PPP) model. What are the challenges faced by the authorities in this regard. (Answer in 150 words) 10
4. Explain various types of revolutions, took place in Agriculture after Independence in India. How these revolutions have helped in poverty alleviation and food security in India? (Answer in 150 words) 10
5. What are the reasons for poor acceptance of cost effective small processing unit? How the food processing unit will be helpful to uplift the socio-economic status of poor farmers? (Answer in 150 words) 10
6. Stem cell therapy is gaining popularity in India to treat a wide variety of medical conditions including leukaemia, Thalessemia, damaged sornea and several burns. Describe briefly what stem cell therapy is and what advantages it has over other treatments? (Answer in 150 words) 10
7. India has achieved remarkable successes in unmanned space missions including the Chandrayaan and Mars Orbitter Mission, but has not ventured into manned space mission, both in terms of technology and logistics? Explain critically. (Answer in 150 words) 10
8. Not many years ago, river linking was a concept but it is becoming reality in the country. Discuss the advantages of river linking and its possible impact on the environment. (Answer in 150 words) 10
9. Discuss the potential threats of Cyber-attack and the security framework to prevent it. (Answer in 150 words) 10
10. The north-eastern region of India has been infested with insurgency for a very long time. Analyze the major reasons for the survival of armed insurgency in this region. (Answer in 150 words) 10

11. One of the intended objectives of Union Budget 2017-18 is to 'transform, energize and clean India'. Analyse the measures proposed in the Budget 2017-18 to achieve the objective. (Answer in 250 words) 15
12. "Industrial growth rate has lagged behind in the overall growth of Gross-Domestic-Product (GDP) in the post-reform period" Give reasons. How far the recent changes in Industrial Policy are capable of increasing the industrial growth rate? (Answer in 250 words) 15
13. What are the salient features of 'inclusive growth'? Has India been experiencing such a growth process? Analyze and suggest measures for inclusive growth. (Answer in 250 words) 7 + 8 = 15
14. What are the major reasons for declining rice and wheat yield in the cropping system? How crop diversification is helpful to stabilize the yield of the crop in the system? (Answer in 250 words) 15
15. How do subsidies affect the cropping pattern, crop diversity and economy of farmers? What is the significance of crop insurance, minimum support price and food processing for small and marginal farmers? (Answer in 250 words) 15
16. Give an account of the growth and development of nuclear science and technology in India. What is the advantage of fast breeder reactor programme in India? (Answer in 250 words) 15
17. 'Climate Change' is a global problem. How India will be affected by climate change? How Himalayan and coastal states of India will be affected by climate change? (Answer in 250 words) 15
18. On December 2004, tsunami brought havoc on 14 countries including India. Discuss the factors responsible for occurrence of Tsunami and its effects on life and economy. In the light of guidelines of NDMA (2010) describe the mechanisms for preparedness to reduce the risk during such events. (Answer in 250 words) 15
19. Mob violence is emerging as a serious law and order problem in India. By giving suitable examples, analyze the causes and consequences of such violence. (Answer in 250 words) 15
20. The scourge of terrorism is a grave challenge to national security. What solutions do you suggest to curb this growing menace? What are the major sources of terrorist funding? (Answer in 250 words) 15

GENERAL STUDIES (PAPER-IV)

Time Allowed : Three Hours

Maximum Marks : 250

ALL questions are compulsory.There are **FOURTEEN** questions divided into **TWO SECTIONS**

Keep the word limit indicated in the questions in mind.

SECTION-A

- Q1.** Conflict of interest in the public sector arises when
 (a) official duties,
 (b) public interest, and
 (c) personal interest
 are taking priority one above the other.
 How can this conflict in administration be resolved? Describe with an example.
 (150 Words) 10
- Q2.** Examine the relevance of the following in the context of civil service: (150 Words) 10
 (a) Transparency
 (b) Accountability
 (c) Fairness and justice
 (d) Courage of conviction
 (e) Spirit of service
- Q3.** Young people with ethical conduct are not willing to come forward to join active politics. Suggest steps to motivate them to come forward. (150 Words) 10
- Q4.** (a) One of the tests of integrity is complete refusal to be compromised. Explain with reference to a real life example. (150 Words) 10
 (b) Corporate social responsibility makes companies more profitable and sustainable. Analyse. (150 Words) 10
- Q5.** (a) "Great ambition is the passion of a great character. Those endowed with it may perform very good or very bad acts. All depends on the principles which direct them." – Napoleon Bonaparte.
 Stating examples mention the rulers (i) who have harmed society and country, (ii) who worked for the development of society and country. (150 Words) 10
 (b) "If a country is to be corruption free and become a nation of beautiful minds, I strongly feel there are three key societal members who can make a difference. they are father, the mother and the teacher." – A. P. J. Abdul Kalam. Analyse. (150 Words) 10

- Q6.** (a) How will you apply emotional intelligence in administrative practices? (150 Words) 10
- (b) Strength, peace and security are considered to be the pillars of international relations. Elucidate. (150 Words) 10
- Q7.** (a) The crisis of ethical values in modern times is traced to a narrow perception of the good life. Discuss. (150 Words) 10
- (b) Increased national wealth did not result in equitable distribution of its benefits. It has created only some “enclaves of modernity and prosperity for a small minority at the cost of the majority.” Justify. (150 Words) 10
- Q8.** (a) Discipline generally implies following the order and subordination. However, it may be counter-productive for the organisation. Discuss. (150 Words) 10
- (b) Without commonly shared and widely entrenched moral values and obligations, neither the law, nor democratic government, nor even the market economy will function properly.
- What do you understand by this statement? Explain with illustration in the contemporary times. (150 Words) 10

SECTION-B

- Q9.** You are an honest and responsible civil servant. You often observe the following:
- (a) There is a general perception that adhering to ethical conduct one may face difficulties to oneself and cause problems for the family, whereas unfair practices may help to reach the career goals.
- (b) When the number of people adopting unfair means is large, a small minority having a penchant towards ethical means makes no difference.
- (c) Sticking to ethical means is detrimental to the larger developmental goals
- (d) While one may not involve oneself in large unethical practices, but giving and accepting small gifts makes the system more efficient.
- Examine the above statements with their merits and demerits. (250 Words) 20
- Q10.** You are aspiring to become an IAS officer and you have cleared various stages and now you have been selected for the personal interview. On the day of the interview, on the way to the venue you saw an accident where a mother and child who happen to be your relatives were badly injured. They needed immediate help.
- What would you have done in such a situation? Justify your action. (250 Words) 20
- Q11.** You are the head of the Human Resources department of an organisation. One day one of the workers died on duty. His family was demanding compensation. However, the company denied compensation because it was revealed in investigation that he was drunk at the time of the accident. The workers of the company went to strike demanding compensation for the family of the deceased. The Chairman of the management board has asked for your recommendation.
- What recommendation would you provide the management?
- Discuss the merits and demerits of each of the recommendations. (250 Words) 20

Q12. You are the manager of a spare parts company A and you have to negotiate a deal with the manager of a large manufacturing company B. The deal is highly competitive and sealing the deal is critical for your company. The deal is being worked out over a dinner. After dinner the manager of manufacturing company B offered to drop you to the hotel in his car. On the way to hotel he happens to hit motorcycle injuring the motorcyclist badly. You know the manager was driving fast and thus lost control. The law enforcement officer comes to investigate the issue and you are the sole eyewitness to it. Knowing the strict laws pertaining to road accidents you are aware that your honest account of the incident would lead to the prosecution of the manager and as a consequence the deal is likely to be jeopardised, which is of immense importance to your company.

What are the dilemmas you face? What will be your response to the situation ?

(250 Words) 20

Q13. A building permitted for three floors, while being extended illegally to 6 floors by a builder, collapses. As a consequence, a number of innocent labourers including women and children died. These labourers are migrants of different places. The government immediately announced cash relief to the aggrieved families and arrested the builder.

Give reasons for such incidents taking place across the country. Suggest measures to prevent their occurrence.

(250 Words) 20

Q14. You are a Public Information Officer (PIO) in a government department. You are aware that the RTI Act 2005 envisages transparency and accountability in administration. The act has functioned as a check on the supposedly arbitrarily administrative behaviour and actions. However, as a PIO you have observed that there are citizens who filed RTI applications not for themselves but on behalf of such stakeholders who purportedly want to have access to information to further their own interests. At the same time there are these RTI activists who routinely file RTI applications and attempt to extort money from the decision makers. This type of RTI activism has affected the functioning of the administration adversely and also possibly jeopardises the genuineness of the applications which are essentially aimed at getting justice.

What measures would you suggest to separate genuine and non-genuine applications? Give merits and demerits of your suggestions.

(250 Words) 20
