



INSIGHTSIAS

SIMPLIFYING IAS EXAM PREPARATION

- I A S S E L F S T U D Y G U I D E -

INSIGHTS into EDITORIAL

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INSIGHTS IAS

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INSIGHTS into EDITORIAL

1. Fighting forest fires

Context:

- The recent wildfire tragedy in Theni in Tamil Nadu, in which 20 trekkers lost their lives, once again brings into focus forest fires in India.
- This tragedy raises several other issues — of approaches in fighting fires and ways of mitigating damage.
- This incident took place during forest fire season in the dry Western Ghats.

Forest Fire: The most common hazard in forest

- Forests fires are as old as the forests themselves. They pose a threat not only to the forest wealth but also to the entire regime to fauna and flora seriously disturbing the bio-diversity and the ecology and environment of a region.
- During summer, when there is no rain for months, the forests become littered with dry leaves which could burst into flames ignited by the slightest spark.
- Forest fire causes imbalances in nature and endangers biodiversity by reducing faunal and floral wealth.

Causes of Forest Fire

- Forest fires are caused by Natural causes as well as Man-made or anthropogenic causes
- Natural causes such as lightning which set trees on fire. High atmospheric temperatures and low humidity offer favourable circumstance for a fire to start.
- Man-made causes like flame, cigarette, electric spark or any source of ignition will also cause forest fires.
- Traditionally Indian forests have been affected by fires. The problem has been aggravated with rising human and cattle population and the increase in demand for grazing, shifting cultivation and Forest products by individuals and communities.
- High temperature, wind speed and direction, level of moisture in soil and atmosphere and duration of dry spells can intensify the forest fires.

How does government get informed on Forest Fire?

- When a fire is detected by NASA's MODIS (Moderate Resolution Imaging Spectro radiometer) and VIIRS (Visible Infrared Imaging Radiometer Suite) satellites, the Forest Survey of India (FSI) analyses the data by overlaying the digitised boundaries of forest areas to pinpoint the location to the exact forest compartment.
- The FSI relays news of the fire to the concerned State, so that the Divisional Forest Officer (DFO) in charge of the forest where the fire is raging is informed.
- A few years ago, the time lapse between spotting the fire and the news reaching the DFO was five to six hours, but this has been reduced to about two hours recently.
- The frequency of the two satellites orbiting the earth has also been increased from twice daily to once in three hours.
- News of the fire would also reach from guards on watchtowers and on patrol. The DFO decides whom to deploy.

Major Forest fire regions in India

- Forest fires are a major cause of degradation of India's forests. Human-made forest fires in the Himalayan states of Uttarakhand and Himachal Pradesh have been a regular and historic feature. The Himalayan forests, particularly, Garhwal Himalayas witness major fire incidents.
- Forests with chir pine are very prone to fire as they easily catch fire.
- 291 forest fires have occurred in Uttarakhand, 2,422 in Chhattisgarh and 2,349 in Odisha. Madhya Pradesh reported 2,238 forest fires.
- Maharashtra, Assam and Andhra Pradesh states also reported several incidents of Forest fires in the recent past.

Impacts of Forest Fires on Environment

Fires are a major cause of forest degradation and have wide ranging adverse ecological, economic and social impacts.

- Loss of valuable timber resources
- degradation of catchment areas
- loss of biodiversity and extinction of plants and animals
- global warming
- loss of carbon sink resource and increase in percentage of CO₂ in atmosphere
- change in the microclimate of the area with unhealthy living conditions
- soil erosion affecting productivity of soils and production
- ozone layer depletion
- loss of livelihood for tribal people and the rural poor

What are the different methods practiced to contain Forest fires?

- Helicopters or aeroplanes or ground-based personnel spray fire retardant chemicals, or pump water to fight the blaze. This is very expensive and usually not practiced in India.
- The second is to contain the fire in compartments bordered by natural barriers such as streams, roads, ridges or fire lines. A fire line is a line through a forest which has been cleared of all vegetation. Once the blaze has burnt out all combustibles in the affected compartment, it vanishes out and the neighbouring compartments are saved.
- The third is to set a counter fire. The counter fire rushes towards the wildfire, leaving a stretch of burnt ground. As soon as the two fires meet, the blaze is extinguished.
- The fourth approach is to have enough people with leafy green branches to beat the fire out. This is mostly practised in combination with fire lines and counter fires.
- The lack of oxygen in the immediate vicinity of tall flames can cause breathlessness due to asphyxiation. Dehydration is also an issue when fighting flames more than a metre high.
- Traditional methods of fire prevention are not proving effective and it is now essential to raise public awareness on the matter, particularly among those people who live close to or in forested areas.

Preparedness and mitigation measures

- Forest fires are usually seasonal. They usually start in the dry season and can be prevented by adequate precautions.
 - Increase the number of fire fighters as well as equip them properly with drinking water bottles, back-up supplies of food and water, proper shoes or boots, rakes, spades and other implements, light, rechargeable torches, and so on.
 - Seasonal labour could be contracted during the fire season.
 - With adequate training, they would serve to fill gaps along the line. Local villagers would be the best resource.
 - To keep the source of fire separated from combustible material.
 - Do not allow combustible material to pile up unnecessarily.
 - Adopt safe practices in areas near forests viz. factories, coalmines, oil stores, chemical plants and even in household kitchens.
 - In case of forest fires, the volunteer teams are essential not only for fire fighting but also to keep watch on the start of forest and sound an alert.
 - Arrange fire fighting drills frequently.
 - Extra funds should be used for hiring more Forest Department field staff to put out fires during the fire season and to patrol the forests during other times.

2. A perfect storm in the cotton field**Context:**

- Recently India's agriculture ministry has decided to reduce royalties paid by Indian seed companies to Monsanto for its genetically modified (GM) cotton by 20.4%.
- Cutting Monsanto's royalties, the government also lowered the prices of GM cotton seeds by 7.5%.
- In February, the Competition Commission of India, decided to probe into anti-competitive practices by Monsanto.
- At the centre of all this is the pink bollworm infestation plaguing cotton farmers.
- In the wake of the pink bollworm crisis, the industry wants to go back to BG-1 (Bollgard I) — the original version of Bt seeds introduced by Monsanto.

What is Bt (Bacillus Thuringiensis)?

- Bacillus thuringiensis (Bt) is a bacterium that occurs naturally in the soil and produces proteins that kill certain insects.
- Through biotechnology, scientists can use these naturally occurring Bt proteins to develop insect-protected crops that protect against insect damage and destruction.
- When targeted insects eat the plant containing the protein, they ultimately die; but impact of Bt on humans and other animals is still being questioned.

Why does industry want to go back to BG-1 ?

- Monsanto entered the Indian market in 2002 with BG-1 variety of the genetically modified seeds. Monsanto's seeds are sold through domestic manufacturers.
- Though developed by Monsanto, BG-1 variety is not patented.
- By reverting to it, Indian seed companies will no longer have to pay any fee to Monsanto, which introduced genetically modified cotton seeds in the country.
- Monsanto introduced BG-II variety, which has two genes with traits of resistance against the bollworm. This extra gene (Cry2Ab) is supposed to have resistance against pink bollworm. But the gene has failed.
- So, it rather makes business sense to revert to BG-I. It has a single gene Cry1Ac, which is still effective against American bollworm, another major pest attacking cotton.
- The seed can be made without paying any technology fee to Monsanto.

Who is 'Monsanto'?

- Monsanto is a multinational agricultural biotechnology corporation. Monsanto is the largest producer of genetically engineered (GE) seeds (Eg: Bt Cotton).
- These seeds prevent farmers from re-planting seeds throughout the seasons by producing a sterile seed, which is unable to reproduce. These are called as terminating seeds.
- This forces the farmer to turn to commercial seeds, profiting the large corporations.
- Those who can't afford to replace seeds seasonally especially poor farmers are greatly impacted by the terminator seed.
- Monsanto asks farmers to sign an agreement when they buy the seeds to only use them once. The resulting crop can be sold for things like feed or oil, not to create another generation of seeds.

What is that unique issue with BG II in India?

- China still successfully controls pink bollworm with first-generation Bt cotton. The U.S. and Australia are moving on to third-generation BG-3 without having faced this problem.
- The reasons for India to suffer this misfortune are that –
- The pink bollworm grew resistant because India restricted itself to cultivating long-duration hybrids since the introduction of Bt cotton in 2002.
- Hybrids are crosses between two crops that often see higher yields than their parents. All other Bt cotton-growing countries mainly grow open-pollinated cotton varieties rather than hybrids.
- When Monsanto licensed its BG and BG-2 traits to Indian seed companies, the agreement restricted the introduction of these traits to hybrids only.
- Because in India intellectual property laws have not prevented its farmers from either saving or selling seeds. In the U.S., where plant varieties are patented, the patented seeds cannot even be reused.
- Due to lack of such protections, several seed companies in India prefer hybrids because unlike open-pollinated varieties, hybrids lose their genetic stability when their seeds are replanted. This compels farmers to repurchase seeds each year, protecting corporate revenues.
- Hybrids seeds are expensive and they are also bigger and bushier. This will force farmers to cultivate them at low densities.
- So to make up for the low densities, Indian farmers grow them longer so that they produce enough cotton.

What is a GM crop?
A crop which has a gene artificially inserted into it from another species, even unrelated, to give it some desired properties. GM crops are mostly either pest-resistant or herbicide-tolerant

Are there other GM crops in India?
No, the government has not approved commercial cultivation of other GM crops, though efforts have been made for brinjal and mustard

When did India get its first GM crop?
The first GM crop variety approved for commercialisation was Bt cotton. Bollgard-I, which provided immunity against the pink bollworm and developed by Monsanto, was given the go ahead in 2002. Monsanto released Bollgard-II in 2006. India has become the world's largest producer of cotton partly due to Bt cotton, which accounts for over 90% of the total cotton acreage in the country

- The pest does its most damage in the latter half of the cotton-growing season. So, the long duration of Indian cotton crops allows this pest to thrive and evolve resistance more quickly than it can for short-duration crops.

Way ahead

- One view is that the solution to the problem may be to move swiftly to short-duration varieties i.e. Monsanto's first-generation Bollgard.
- Seed companies cannot develop open-pollinated varieties with BG-2, but they can with BG, since Monsanto didn't patent BG in India.
- However, not everybody agrees with this strategy.
- The more critical question is, even if the government incentivises a return to BG, will all seed companies stop making BG-2 seeds?
- Studies predict that even if India cultivates both BG and BG-2, simultaneously, that can accelerate resistance among pests. This could trigger the emergence of new cotton pests.
- Some experts say that the actual problem lies with long duration crops. So government should stringently clamp down on long-duration crops.

3. A game-changer for higher education

Context:

- In the Union Budget for the financial year 2018-19, Education sector has witnessed an increase of almost 4% in terms of funds allocation.
- The Union Cabinet has taken a decision recently to give due importance to the Rashtriya Uchchar Shiksha Abhiyan (RUSA), a centrally sponsored scheme launched in 2013 to provide strategic funding to eligible State higher educational institutions.

What is the reason behind launching RUSA?

- In India, Sarva Shiksha Abhiyan (SSA) scheme was launched in 2001 for elementary education and Rashtriya Madhyamik Shiksha Abhiyan (RMSA) was launched in 2009 for secondary education.
- These schemes produced great results in the educational developments.
- For higher education, University Grants Commission (UGC) has provided funds which are quite adequate for centrally funded universities and colleges.
- However, India is estimated to have over 800 universities (over 40,000 colleges are affiliated to them). About 94% of students of higher education study in 369 State universities.
- Today about 150 Centrally-funded institutions (less than 6% of students study in them) — get almost the entire funding by the Ministry of Human Resource Development (MHRD).
- Thus, a larger number of higher institutes run by state governments, which are limited in their own management, are not provided with sufficient financial support to enhance their facilities for educational reforms.
- The University Grant Commission's system of direct releases to State institutions which bypasses State governments also leads to their sense of alienation.
- It was to address these critical concerns that the MHRD launched RUSA.
- The reforms initiated under the RUSA push for greater accountability and autonomy of state institutions.

What is RUSA?

- Rashtriya Uchchar Shiksha Abhiyan (RUSA) is a Centrally Sponsored Scheme (CSS), launched in 2013 aims at providing strategic funding to eligible state higher educational institutions.
- The central funding is in the ratio of 60:40 for general category States, 90:10 for special category states and 100% for union territories.
- Funding under RUSA is provided by the central Ministry of Human Resource Development directly to the state and UT governments. From the state/UT budget the funds are disbursed to individual institutions.
- State higher education councils (SHEC) will have to undertake planning and evaluation,
- The scheme is largely based on the conditional release of funds linked to reforms in the key areas of governance, learning-teaching outcomes, reaching out to the unreached and infrastructure support.

What are the objectives?

- Unlike other schemes, under RUSA, States and institutions have to give an undertaking expressing their willingness to the idea of reform and agreeing to meet the States' share of the cost.

- RUSA is a process-driven scheme. Its design and conceptualisation were finalised through extensive consultations with all key stakeholders, especially State governments.
- All States except a Union Territory (Lakshadweep) are a part of RUSA now.
- Objectives of RUSA are to;
 1. Improve the overall quality of state institutions by ensuring conformity to prescribed standards.
 2. Bring in transformative reforms in the state higher education system by facilitating planning and monitoring at the state level
 3. Promote autonomy in State Universities and to improve governance in institutions.
 4. Ensure reforms in the affiliation, academic and examination systems.
 5. Reduction in the number of colleges affiliated per university by creating cluster universities and promoting autonomous colleges.
 6. Ensure adequate availability of quality faculty in all higher educational institutions
 7. Create an enabling atmosphere to research and innovations.
 8. Correct regional imbalances in access to higher education
 9. capacity-building of faculty and selecting teachers in a transparent manner
 10. Involving academics of repute and distinction in decision-making processes.

What kind of evaluation system is in place for funding under RUSA?

- RUSA began with a modest allocation of ₹500 crore, but over time has seen its resource allocation being increased. For the current year, ₹1,300 crore has been provided.
- This funding is conditional to performance. So it is critical to have a robust monitoring and evaluation system in place.
- In this regard, geo-tagging, introduction of a public financial management system, a fund tracker and reform tracker system and regular video conferences have proved effective tools, since 2015.
- Governance reform is central to the scheme. In order to avoid arbitrariness, a State has to also give its commitment to creating a search-cum-select committee in the selection of vice-chancellors.
- An important precondition is the filling up of faculty positions.

What is the visible change after RUSA was introduced?

- An independent performance review of the scheme was done by IIT Bombay in 2017. It concluded that the funding linked to reforms has had a visible impact on higher education.
- When RUSA began, the gross enrolment ratio (GER) was 19.4%, faculty vacancies were at a shockingly high level of 60%, and a large number of universities were suffered with a teacher-student ratio of 1:24.
- Today, the GER is 25.2%, faculty vacancies are down to 35% and the teacher-student ratio is now 1:20.
- Several universities in Karnataka, Rajasthan, Uttar Pradesh and Bihar have been right-sized and critical governance reforms.
- Merit-based appointments of vice-chancellors in Odisha, Goa, Jharkhand and Tamil Nadu are visible.
- There has been an improvement in the number of institutions accredited and their scores.

Way forward

- RUSA can prove be a real game changer for higher education in the country.
- With the assistance under RUSA Scheme there is an increase in the Gross Enrolment Ratio [G.E.R.], quality, access and equity in higher education.
- It has reprioritised the country's needs from funding just a few premier institutions to reaching out to institutions at the bottom of the pyramid.
- It has also changed the way regulators need to function.
- However its litmus test will be in how impartially the scheme is administered by the MHRD and the degree to which State governments allow the SHEC to function.

4. A solar gear shift

Context:

- The 2018 Economic Survey identifies renewable energy as a champion sector under the Make in India 2.0 programme.
- India currently meets almost 90% of its annual requirement of solar panels through imports which affects the growth of a nascent domestic solar manufacturing sector.
- Policy support for the solar sector is increasingly focussed on domestic manufacturing.
- So the question that warrants examination is whether the policy interventions send right signals to an already uncertain solar sector and our renewable energy ambitions on track.

Challenges in Solar energy sector

Some of the major problems faced by the industry are –

- Commercial banks in India constitute major source of financing for infrastructure. But these banks provide loan at a rate much higher than in the developed nations.
- Availability of land is also a big impediment for this sector. In India generally land is segmented and records might not be available.
- Evacuation systems for transmitting the electricity generated in the solar power plant are still fully not equipped.
- Import of cheaper solar cell panels is a major cause of worry.
- India and the US clashed in their trade dispute over solar cells and solar modules at WTO.

Is implementing trade remedies a solution?

- Implementing trade remedies that have anti-competition implications have short term benefits.
- Two large solar energy markets, India and the United States are considering the imposition of safeguards duty on solar panels. In such a scenario, Trade remedies are attractive because they create tangible short-term benefits such as job creation, reduction in trade deficit, and higher local tax collection.
- However, such a move would also result in higher tariffs and make solar power less attractive for the already financially strained sector.
- The more than 40% spike in solar electricity prices would be accompanied by diplomatic tensions that follow the implementation of such measures.
- It will encourage other major economies to retaliate with their own protectionist measures.

Is it vital for India to remain compliant with the global trade regime?

- Previous measures such as the domestic content requirement (DCR) to appease the concerns of the domestic solar manufacturers were challenged and overturned at the World Trade Organisation (WTO).
- The DCR scheme did not impose any restrictions on imported sources and only sought to secure an assured market for domestically manufactured panels.
- Other countries opposed the scheme as they felt that it was discriminatory in nature against foreign solar cell suppliers.
- A draft policy (2017) aimed at promoting domestic solar manufacturing through a proposed 12,000 MW DCR component may evoke similar opposition at the WTO.
- Prioritising domestic goals without complying with international trade rules may affect the much-needed stakeholder confidence required to achieve India's clean energy target.

Resolution of inter-ministerial rift is the need of the hour

- India's solar sector is currently caught in inter-ministerial cross-fire.
- The severity of the issue is evident in the power given to both the Ministry of Finance (MoF) and the Ministry of Commerce and Industry (MoCI) to implement trade remedies like safeguard duties and anti-dumping duties.

The objective of National Solar Mission

- National Solar Mission is one of the eight key National Missions of India's National Action Plan on Climate Change (NAPCC).
- The objective of the National Solar Mission is to establish India as a global leader in solar energy, by creating the policy conditions for its development across the country.
- The Mission has set the ambitious target of deploying 100GW of grid connected solar power by 2022.
- The target will comprise of 40 GW Rooftop and 60 GW through Large and Medium Scale Grid Connected Solar Power Projects.
- The mission is aimed at reducing the cost of solar power generation in the country through long term policy; large scale deployment goals and aggressive R&D.

- Further, the Ministry of New and Renewable Energy (MNRE) has been grappling with issues posed by the MoF regarding the re-classification of solar panels as electrical motors imposing additional duties and cesses on importers.
- An inter-ministerial committee headed by the MNRE must be constituted to coordinate moves among the MoF, the MoCI, the Ministry of Power, and the Central and State Electricity Regulatory Commissions.

Way Forward

- ✓ Developers and manufacturers need to voice their needs clearly and respond to policy implications clearly.
- ✓ The industry needs one unified voice representing the key concerns of each stakeholder-category, without ignoring the broader interests of the sector.
- ✓ India will need a comprehensive strategy on issues such as effective sourcing of critical minerals and investment in R&D.
- ✓ Innovative Financing measures such as clean energy fund, generation based incentive linked loan repayment and green bonds could be one solution to overcome the financial needs of this sector.

5. Time to reach out across the border

Context:

- Islamabad's decision to send High Commissioner back to India just in time to host the Pakistan National Day reception in New Delhi, and New Delhi's decision to send the Minister of State for Agriculture and Farmers' Welfare to attend the reception indicate that good sense may have prevailed on both sides.
- Since the 19th of this month, India and Pakistan have not fired at each other across the border in Jammu and Kashmir barring one exception, a welcome calm after several weeks of continuous ceasefire violations.

Background: a series of incidents of harassment of diplomatic personnel

- Harassment of some of the officials was reported who had gone for shopping to the Blue Area in Islamabad and two people aggressively followed them and hurled abuses.
- Another officer and his family were aggressively followed by two men on a motorbike when he was going to a restaurant.
- Indian High Commission in Islamabad has sent Note Verbale Verbal to the Ministry of Foreign Affairs of Pakistan protesting against the intimidation and harassment of its officials. Two incidents were reportedly highlighted in the note.
- India has asked Pakistan government to investigate the incidents related to harassment of its officials in Indian High Commission in Islamabad.

What is 1961 Vienna Convention?

- The Vienna Convention on Diplomatic Relations of 1961 is an international treaty that defines a framework for diplomatic relations between independent countries.
- It specifies the privileges of a diplomatic mission that enable diplomats to perform their function without fear of coercion or harassment by the host country.
- This forms the legal basis for diplomatic immunity.
- The host country must permit and protect free communication between the diplomats of the mission and their home country.
- Diplomats must not be liable to any form of arrest or detention. They are immune from civil or criminal prosecution.
- The family members of diplomats that are living in the host country enjoy most of the same protections as the diplomats themselves.

What are the reasons behind the diplomatic stand-off between India and Pakistan?

- In gross violation of a UN Council resolution, UN-designated terrorists like Hafiz Saeed are freely operating with state support, and are being politically mainstreamed in Pakistan.
- India criticized Pakistan for harbouring the United Nations designated terrorists like Hafiz Saeed.
- In response, Islamabad raised the Kashmir issue at the UN Human Rights Council meeting in Geneva.
- India is demanding for credible action by Pakistan to bring all those involved in the 2008 Mumbai attack and the 2016 Pathankot and Uri attacks to justice.
- Pakistan has long been attempting to mask its territorial ambitions and use of terrorism as a state policy under the guise of concern for human rights.
- Another issue is that Pakistan has refused to admit Indian diplomats to the Islamabad Club in retaliation for corresponding Indian clubs charging what it considers exorbitant amounts for membership.
- Continuous tense atmosphere of ceasefire violations and the resultant political rhetoric is another issue.
- Aggressive surveillance of each other's diplomatic personnel is nothing new in the India-Pakistan context.

- All these issues have led to highly undesirable acts of harassing diplomatic personnel who are protected under the 1961 Vienna Convention.

What are the measures taken to contain such harassments?

- The harassment happened may be because the local authorities were not properly informed about how to deal with the High Commission staff of the 'enemy' country.
- Hence the two sides further decided to translate the code of conduct into Hindi and Urdu and make it available to local police stations and lower-ranking officials.
- However, such thoughtful measures never stopped the continuous mistreatment of the 'rival' state's diplomats.

Way ahead

- ✓ The state of communication between India and Pakistan should be improved.
- ✓ Constant firing across the J&K border has aggravated the issue even deeper.
- ✓ Contacts between the respective High Commissions and the host governments have been reduced to 'demarches', 'summons', 'notes verbale' and stern warnings.
- ✓ Given that the year ahead is critical for India and Pakistan and the bilateral relationship, the focus should be on enhancing and improving communication.
- ✓ Some subtle messaging from the Pakistani side about its desire to normalise ties with India is a welcome move in the right direction.
- ✓ Pakistan's army chief's recent and earlier statements that there is a desire on the part of the Pakistan army to normalise relations with India, something decision-makers in New Delhi should capitalise on.
- ✓ Pakistan should also initiate tough action against anti-India terrorist groups based in Pakistan.

6. Should gambling be legalised?

Context:

- The Supreme Court, in Board of Control for Cricket v. Cricket Association of Bihar & Ors (2016), mandated the Law Commission to study the possibility of legalising betting in India.

Is Gambling allowed in India?

- British era law called The Public Gambling Act, 1867 ("Gambling Act") is the general law governing gambling in India.
- However, the state legislatures have been entrusted with significant regulatory leeway to form state specific gambling laws.
- Accordingly several states in India adopted central legislation and other states have enacted their own legislation to regulate gambling activities within their territory.
- The Bombay Prevention of Gambling Act came into force in 1887. Gaming as defined in the Act includes gaming and betting.
- Regardless of the mounting popularity and the revenue generated by gambling it is prohibited in India, except in Goa, Daman and Diu and Sikkim.
- Gambling Legislations primarily refer to gaming activities at the physical premises.

Why legalise gambling?

- There is overwhelming support for the idea on the ground that having failed to control illegal betting, which happens on a large scale.
- The reasons to look at legalising and regulating gambling are manifold.
- Gambling and betting is mostly done secretly, and is said to be controlled by underworld syndicates who use the unaccounted money earned from gambling activities for nefarious activities like terror financing.
- Legalising the activity might help curtailing an important source of black money.
- It will also bring massive revenue in terms of Tax revenue to the state exchequer, which can be used for various constructive social schemes.
- From experience of countries where the Gambling is legalised, we can probably say that in addition to revenue generation, it will also help in creating large-scale employment opportunities.

Why should not Gambling be legalised?

- It must be noted that even though gambling is largely illegal, it is still rampant and unchecked.
- There can be no guarantee that legalising regulated betting will stop flowing of black money.
- A large crowd of workers who will invest a part of their earnings to realise their dreams would become a ready fodder if the betting is to be legalised.
- Companies will host betting apps, tempting poor people to try their luck.
- There are also concerns that gambling is not morally correct in the Indian context.

What are the hurdles in legalising the gambling?

- The existing law was passed before the Constitution came into existence and it was a Central legislation.
- If Parliament wishes to legislate on the subject, it will be difficult to do so, as the subject of gambling figures in the State List.
- As a result, the Constitution will have to be amended first.
- Necessary infrastructure like police machinery, prosecutors, etc. will have to be put in place.
- The problem of online gaming cannot be curbed by merely amending the Information Technology Act where it finds a mention.
- Governments are trying to find ways of curbing the menace. So, relevant provisos will have to be made in the new Act if gambling is to be regulated.
- There will still be the issue of jurisdiction as online gambling goes way beyond India's borders.
- Ensuring that online gambling is safe and protects the interests and rights of players is still a question.

Way Ahead

- ✓ There is greater stigma around seeking help for problem gambling than for illicit drug use in developed countries where the Gambling is legalised.
- ✓ SC mandated the Law Commission to study the possibility of legalising betting in India. Chairman of the Law Commission invited views and suggestions from all those concerned to arrive at a judicious opinion and make suitable suggestions and recommendations to the government. The report is awaited.
- ✓ Awareness campaigns should be in place to educate people about the perils of excessive gambling; minors, vulnerable sections should be excluded from having access to gaming facilities.

7. Rivers, floodplains, cities and farmers**Context:**

- Floodplains of rivers can provide a new source of water. They are a local, non-polluting, perennial and non-invasive source of water for urban centres.
- Delhi Jal Board did ground-breaking efforts on extracting water from Yamuna's floodplains in an environmentally sustainable manner.
- The **Palla floodplain scheme** which was launched by the Delhi Jal Board in 2016 (on a 25 km stretch of the Yamuna) is currently running at half its potential and providing water to about one million people in the city — of a daily requirement of 150 litres per person.
- Harvesting water from floodplains is a source of water for urban regions across the country and can be used as a regular and a contingency water reserve.

What are floodplains?

- Floodplain is an area of low-lying ground adjacent to a river, formed mainly of flooding of rivers and deposition of sand sediments on the riverbanks.
- These sandy floodplains are exceptional aquifers where any withdrawal is compensated by gravity flow from a large surrounding area.
- Some floodplains such as those of Himalayan Rivers contain up to 20 times more water than the virgin flow in rivers in a year.
- Since recharge is by rainfall and during late floods, the water quality is good.

What is 'conserve and use' principle?

- The water needs of Delhi get fulfilled by water from other river basins located as far as 300 kilometres away. So harvesting water from floodplains will satisfy water needs of cities.
- Water can be drawn and provided to meet the needs of cities by developing a grid of several wells.
- Floodplains absorb the rain water and saturates during floods late in the monsoon. Flooding can cause rise in the water level which allows us to extract water.

- For that we need to conserve and use the floodplain to make it a self-sustaining aquifer wherein every year, the river and floodplain are preserved in the same healthy condition as the year before.
- The 'conserve and use' principle demands that no more than is recharged by rain and floods each year can be withdrawn from this aquifer.
- This ensures that the groundwater level in the floodplains remains steadily above that in the river in the lean non-monsoon months when the river is often polluted.
- Drawing out any more water than is recharged can contaminate and eventually finish off this precious resource.

Preserving the floodplain

- Preserving the floodplain in its entirety is critical. This can be done by engaging farmers whose land will have to be leased for such an effort.
- Farmers can be engaged through a public-private partnership, where farmers on this land tract of 1 km on either side of the river can be provided an assured and steady income.
- In addition, farmers can grow a food forest, fruit orchards or nut trees but not water-intensive crops on this land.
- Ecologically, a water sanctuary would prevent erosion, heal the river ecosystem, and restore the ecological balance in floodplains.
- 'Conserve and use' approach would help curb illegal extraction of water, stop pollution by local agencies and industries and also encourage cities to be more responsible in their waste management.

What are the measures needed to protect our rivers ?

- We need to ensure rivers continue to flow free.
- Revitalize river health through floodplain restoration.
- Help communities use water wisely.
- Safeguard rivers from the harmful impacts of mining and industrial effluents.
- All natural resources and sources of water – mountains, lakes, rivers, floodplains, forests, and hills must be declared as inviolate.
- Huge penalty should be charged for destruction of these resources
- Augment water by planting more forests.
- Water consumption – whether in cities, industries or for agriculture – must be strictly regulated.
- We need to move to a more sustainable way of living.

Conclusion

- 'Conserve and use' scheme will help improve the quality of rivers, quality of life for citizens, and at the same time guarantee farmers a healthy fixed income. This is a new scheme of living.

What are the threats to Indian rivers?

- Construction of large dams and physical alterations of river flow by straightening and deepening of river course will disrupt the natural flooding cycles, reduces flows, and drains wetlands.
- Rivers today are facing problems of abysmally low flows due to an indiscriminate extraction of water for use in cities, industries and agriculture.
- They are also highly polluted because sewage and effluents are being released into them.
- But a floodplains 'conserve and use' scheme, which is a socio-economic-environmental scheme, can provide water to urban centres along rivers; it can also engage farmers by providing them an assured income and restore rivers to a healthy condition.

8. Sharing data across borders

Context:

- Two weeks ago, U.S. President signed the Clarifying Lawful Overseas Use of Data Act (CLOUD Act), which will enable the U.S. government to enter into agreements with like-minded states for cross-border data sharing.
- The law has been introduced to alleviate not just the concerns of other states but also its own, as was seen in the legal battle between the U.S. government and Microsoft over access to an email.

What is CLOUD Act?

- The CLOUD Act establishes procedures for law enforcement requests for data in other countries.
- The Act allows certain foreign governments to enter into new bilateral agreements with the United States. This new agreement will enable foreign nations to make data requests directly to U.S. companies rather than via U.S. government.
- The Act imposes certain limits and restrictions on law enforcement requests to address privacy and civil liberty concerns.

- The passing of the CLOUD Act comes at a time when the problematic data gathering practices of Cambridge Analytica (CA) have occupied public discourse.

How does it work?

- Consider a scenario where a crime is committed in India and the suspect and victim are both Indian citizens and used a U.S.-based messaging service to plan the crime.
- Before this Cloud Act, an Indian officer investigating would have to raise a request for data to the U.S. government where it is stored.
- But after Cloud act, investigating agencies may directly make a request for information from the service providers in US provided US and Indian governments entered into a new bilateral agreement for data sharing.

How does it benefit India?

- Timely access to electronic data for police required to prevent, mitigate or prosecute even a routine crime.
- The data are often rendered inaccessible for two reasons:
- First one is that popular service providers increasingly store electronic communications in the cloud, breaking the data and distributing it across different countries. While these companies offer services in India, they do not store the data locally.
- Other reason is that the U.S. law prohibits service providers from disclosing user data to foreign law enforcement agencies.
- India in the first half of 2017 requested data from Facebook 9,853 times, of which only 54.3% were met.
- Over the years, requests from Indian law enforcement to American service providers have been on a steady rise.
- Companies like Facebook can directly respond only to requests for basic subscriber information. However, the police need access to more information on the user, such as the content of an online conversation, to further their investigations.
- The police need this information not only for traditional crimes with a cyber-element, but also for more complex, transnational investigations. Cross-border crimes such as cases of online radicalisation would require agents to access data that are stored abroad.
- Currently, the process of requesting for such data is cumbersome and will consume more time.
- With the enactment of the CLOUD Act, an Indian officer for the purposes of an investigation will no longer have to make a request to the U.S. government but can approach the company directly.

What are the conditions placed?

- To operationalize the new data sharing arrangement through a bilateral agreement, the U.S. establishment has introduced an important condition.
- The U.S. requires the foreign states to share a common commitment to the rule of law and the protection of privacy and other civil liberties.
- India will need to ensure that its authorities collect, retain, use and share data as per an established procedure.
- In addition, Indian laws must provide for electronic data requests to be reviewed by a court or other independent authority.
- As of now, India falls short of these requirements.
- However, Country like India, where crime rate has increased by using social media as a platform, would require access to such data from service providers who store data in US.
- New Delhi can push India-U.S. data sharing agreement to serve the interests of its law enforcement agencies.

9. A rude wake-up call

Context:

- Recently, Several Opposition members signed a draft impeachment motion against Chief Justice of India (CJI).
- The draft impeachment motion has charged the CJI with conflict of interest in a case and also abusing his administrative authority as the master of roster to arbitrarily assign important politically sensitive cases to select judges to achieve a predetermined outcome.

What is the process of impeachment of a SC judge?

- Article 124 of the Constitution envisages the establishment of the Supreme Court of India and the appointment of judges. Further, in Article 124(4), the guidelines surrounding the Impeachment of Judges are enshrined.
- The Constitution has provided similar impeachment proceedings for Judges of both the Supreme Court and High Court.
- Along with the provisions in Constitution, the Judges (Inquiry) Act, 1968 and the Judges (Inquiry) Rules, 1969 provide for the entire process of Impeachment.
- An impeachment motion should be signed by at least 50 MPs if it is moved in the Rajya Sabha and 100 if moved in the Lok Sabha which is then looked into by the Speaker/Chairman.
- After that, a three member committee is formed by them to look into the charges framed against the Judge in question.
- At the end of the fact-finding by the committee it submits a report with the recommendations.
- If the committee recommends that the judge be impeached, the house of the Parliament will vote on the same.
- If a majority of not less than two-thirds of the members of that house present and voting (Special Majority) votes in favour then the motion of impeachment shall be placed before the President for his assent.

Should there be some safeguards before the motion is admitted?

- An independent judiciary is the foundation on which the rule of law rests and a fearless judge is the bedrock of an independent judiciary.
- Public interest litigations; the right of a charge sheeted person to contest elections; election petitions; electoral disqualifications, validity of government policies; criminal prosecutions of political leaders; challenges to anti-defection law disqualifications are some of the important matters upon which a judge has to decide on his/her official capacity.
- Fixity of tenure and removal only by impeachment are guarantees for independence.
- But a mere admission of an impeachment motion for political reasons can cause a loss of reputation that needs to be primarily addressed.
- Moreover, till the proceedings conclude, the functioning of the judge concerned comes under a cloud.
- While a corrupt judge should be impeached without doubt, it must be ensured that the large body of independent judges is protected and they are not inhibited and shackled while going about their work with any possible threat of an impeachment.

The basis on which the Impeachment procedure is questioned

- One view is that the principle of independence of the judiciary on which the Second Judges Case was founded for the aspect of appointment should apply with full vigour to the initiation of the removal process.
- On matters of criminal prosecution of a sitting judge, the Veeraswami case has recognised a methodology of screening.
- The Judges (Inquiry) Act expressly provides that the presiding officers, before admitting a motion for impeachment, will consult such persons as they deem fit.

Why can't CJI impeachment answer all problems in judiciary?

- The CJI is the 'master of roster'. The CJI has the authority to constitute the benches but under constitutional system every power is coupled with certain responsibilities.
- The power is required to be exercised for the purpose of achieving public good.
- The major problem like mounting vacancies and pendency of cases is reaching alarming proportions need to be addressed first. The faith of the people in the judiciary should not be lost.
- If the judiciary is perceived as weak, more and more impeachment proposals would do the rounds. The message should go from the top. That will also rejuvenate the high courts and give the judges their much-needed confidence.
- In the eyes of the international community, the executive government also will be shown in a bad light if the judiciary in the country is not independent and strong.
- There will be fear and insecurity. The rule of law will be a far cry. All this will deliver a serious blow to the economy.

10. Anti-Forest, Anti-forest dweller

Context:

- Minister of State for Environment, Forests and Climate Change informed Parliament that his Ministry has collected over ₹50,000 crore in a **Central compensatory afforestation fund (CAF)** and this is to be used through the Compensatory Afforestation Fund (CAF) Act, 2016 or CAF, a purported mechanism to offset forest loss.
- Before issuing forest clearances to a mine, dam or industry, the Ministry fixes a monetary value for the forest that is to be destroyed and collects this as **“compensation”**.
- The funds are to be then used to “afforest” alternative land.
- But the **present issue** is: The **Draft rules of CAMPA Act 2016** are in conflict with the provisions of the Forest Rights Act, 2006. There is conflict of Interest between Forest Rights Act and CAMPA, Act.

Concerns of CAF Act, 2016:

- Greater powers in the **forest bureaucracy** than to resident tribals and Gram Sabha. The areas selected for improving the forests are coming are the areas of forest dwellers and Tribal lands.
- Official records show that 19.4 million hectares has been afforested by the forest department over the last decade but forest cover has barely increased.
- The possible **violation of tribal rights** under Forest Rights Act (FRA) 2006
- **Gram panchayats** not having the final say in deciding what kind of forests could be grown.
- Even though both the **Kanchan Chopra Committee** and the **IIFM Committee on Forest NPV** (value of loss of forest ecosystem) clearly mention that communities must be compensated for the loss of forests, the CAF bill is totally silent about their rights and compensation.
- Doubts on whether it would lead to an **ecologically-sustainable** replenishing of forests.
- A **2013 CAG report** noted that state forest departments lack the planning and implementation capacity to carry out compensatory afforestation and forest conservation. With the share of funds transferred to states increasing from 10% to 90%, effective utilisation of these funds will depend on the capacity of state forest departments.
- The CAF Act is a **deeply flawed piece of legislation** because it reduces their displacement, hardship and loss of livelihood and food sources to a **monetary value** — to be paid to the state. The law, and now its draft rules, spells further **capture of Adivasi lands** in the name of compensatory afforestation.

CAF Act Conflict with FRA, 2006:

- It gives unchecked powers to undertake plantations on private and common property resources.
- It will have poor ecological and social consequences as well as corruption, because powers are given to forest bureaucracy.
- There are no safeguards against the forest bureaucracy. Implementing compensatory plantations in dense forests, where FRA claims are pending or have to be filed are the major problems.
- The rules provide for only consultation with communities in the planning of compensatory afforestation.
- Since the CAF Bill was floated, forest rights advocates report that over 2,500 gram sabhas across India have opposed it. But resource rights movements by Adivasi and forest-dwelling communities are marginal in our public discourse, except during momentous events like the recent Nashik-Mumbai march.

Way Forward:

- The implementation of the **Forest Rights Act, 2006** has been opaque and there is serious lack of awareness about its provisions not only among the beneficiaries but also among the officials in charge of implementing it. Given the complaints from either side, it is time the government reviewed the law and also looked at the objections raised when it was first tabled as a bill.
- **Infrastructure facilities** like road connectivity will improve the quality of life in tribal areas, in terms of quick access to health services, better education, and social service. Promotion of the local indigenous methods for the increase and promotion of the forests.
- The **Inclusive Development of Tribals** in the areas like Promotion of Tribal Education like Ekalavya model of residential Schools, Promoting Minor Forest produce like Vanabandhu Kalyan Yojana, TRIFED etc. For the capacity building of the all round development of the tribes.

11. How the data sets stack up

Introduction:

- Measuring inequality is not the same as measuring changes in the level of poverty in India.
- In recent years, there has been a lot of discussion on increasing inequality within several countries of the world, including India.
- Rising inequality has adverse economic and social consequences. The Gini coefficient or other measures of inequality are being used to examine trends in inequality.
- The poverty ratio is equally important as the Gini coefficient in analysing issues relating to growth and distribution.

Why is it important?

- A general rise in Gini Coefficient indicates that government policies are not inclusive and may be benefiting the rich than the poor.
- For instance, a subsidy on diesel prices may entail a big budget outlay and may be targeted at the poor. But its benefit could actually be derived by the non-poor.
- A Gini figure below 0.40 is generally considered to be within tolerable limits by economic experts.
- Chancel and Piketty's report pegged India's Gini coefficient at 0.41 to 0.49 for 2010.
- As government welfare schemes focus on the lower income groups, Gini Coefficient for India will become lower.
- The progressive rates that India uses for income tax slabs could also narrow the disparity.

What are the trends of Consumption inequality in India?

- The Gini coefficient of consumption expenditure for rural areas declined marginally in 80's and early 90's from 0.304 to 0.286 while it recorded a marginal rise during the high growth period of 2004-05 and 2011-12 (from 0.304 to 0.311).
- In the case of urban areas, it stayed the same from 1983-84 to 1993-94 (0.344) while it increased modestly from 2004-05 to 2011-12 (0.376 to 0.390).
- Using long time series since 1951, a study shows that inequality in rural areas declined while it increased in urban areas in the post-reform period.
- In India the consumption expenditure is calculated based on the data from the National Sample Survey Office (NSSO) and national income.
- But the two estimates of consumption data from two different source of data National Accounts Statistics, or NAS, and household survey based (NSSO) do not match.
- What is alarming in India is that the difference between NAS and NSS is widening over time.

What about the Income and wealth inequality in India?

- Income and wealth inequalities are much higher than consumption inequality.
- According to some estimates, consumption Gini coefficient was 0.36 in 2011-12 in India. On the other hand, inequality in income was high with a Gini coefficient of 0.55 while wealth Gini coefficient was 0.74 in 2011-12.
- Thus, inequality in income and wealth is much higher than that of consumption.
- As per the trends in some other countries, the differences should not be more than 5-10 points.
- So the reasons for sharp differences between consumption Gini coefficient and income Gini coefficient have to be analysed.
- The limiting factors are – the data base for computing income inequality is not as solid as the base for consumption expenditure.

What is Gini coefficient?

- The Gini coefficient, which lies between 0 and 1, is used for measuring inequality within nations or States.
- Zero indicates perfect equality and one indicating the perfect inequality.
- An increasing trend indicates that income inequality is rising independent of absolute incomes.
- There has been a lot of discussion on increasing inequality within several countries of the world, including India, particularly after the publication of Thomas Piketty's book on inequality.

What does Kuznets Curve say about inequality?

- It is important that rich-poor divide is kept in check to ensure that a larger section of society reaps benefits from economic growth.
- The Kuznets Curve demonstrated that economic growth initially leads to greater inequality, but as economy develops, market forces first increase and then decrease inequality levels.
- This happens because the initial phase of economic growth boosts the income of workers and investors who participate in the first wave of innovation.
- This inequality, however, tends to be temporary as workers and investors soon catch up, resulting in improvement of their incomes.

- Also, using income tax data for computing income distribution may not give full picture of the income inequality as in India only 3-5% of people come under the income tax net.

What are the Trends in poverty ratio in India?

- The perception regarding what constitutes poverty varies over time and across countries.
- Generally the approach is to look at it in terms of certain minimum consumption expenditure on food and non-food items. Any household failing to meet this level of consumption expenditure can be treated as a poor household.
- As per the NSS Consumer Expenditure data for the period 1983 to 2011-12, in the pre-reform period, overall poverty declined marginally during 1983 to 1993-94. However, the number of persons below the poverty line stayed almost the same.
- Poverty declined faster in the post-reform period, particularly in the 2004-2012 periods as compared to 1993-2005. Overall poverty as defined by the Tendulkar Committee declined faster from 45.3% in 1993-94 to 21.9% in 2011-12.
- This was the period of highest economic growth since Independence. It is the fastest decline of poverty compared to earlier periods.
- Urban growth is the most important contributor to the rapid reduction in poverty even in rural areas in the post-1991 period.

Why does measuring inequality not the same as measuring changes in the level of poverty in India?

- The trends in poverty show that the pace of reduction was much higher in the post-reform period particularly during high growth period.
- The impact of higher growth on poverty reduction can also be seen from the decile-wise growth in per capita consumption expenditure.
- A comparison of the per capita consumption growth rate during the periods 1993-94 to 2004-05 and 2004-05 to 2011-12 shows that the average growth of per capita consumption of the top five deciles is more than that of the bottom five deciles.
- However, the expansion of consumption of the lower deciles of the population was more than the upper deciles.
- In this context, measuring inequality is not the same as measuring the changes in level of poverty.
- The poverty ratio can be declining irrespective of the value of Gini coefficient.
- This has been true of India. The decline in poverty is much higher particularly in the period 2004-05 to 2011-12 in spite of rise in inequality.
- Thus the changes of the poverty ratio are an equally important indicator to monitor.

12. Creation of Defence Planning Committee: A Step towards Credible Defence Preparedness

Introduction:

- India is probably the only large country in the world which is overwhelmingly dependent on external sources for **its defence requirements**.
- India remains the world's **largest weapons importer** over a five-year period according to latest report of the Stockholm International Peace Research Institute (SIPRI) on global arms purchases released recently.

Context:

- In a significant defence policy reform, the government has revamped the existing defence planning system by establishing a **Defence Planning Committee (DPC)** under the chairmanship of the **National Security Adviser (NSA)**.
- This new institutional mechanism, set up as a **permanent body**, is intended to “facilitate a **comprehensive and integrated planning** for defence matters” – a vital ingredient in defence preparedness.
- The committee, which will be a permanent body, will prepare a **draft national security strategy** besides undertaking a strategic defence review and formulating an **international defence engagement strategy**.
- The new measure, arguably **the boldest defence reform** in decades, is likely to have a far reaching consequence on the way defence planning is undertaken and on defence preparedness.

The charter of duties of the DPC :

- To analyse and evaluate all relevant inputs relating to defence planning, which includes- the national defence and security priorities, foreign policy imperatives, relevant strategic and security-related doctrines, defence acquisition and infrastructure development plans, including the 15-year Long-Term Integrated Perspective Plan (LTIPP), defence technology and development of the Indian defence industry and global technological advancement.
- To prepare at least **five different sets of drafts** including:
 - National security strategy, strategic defence review and doctrines;
 - International defence engagement strategy;
 - Roadmap to build defence manufacturing eco-system;
 - Strategy to boost defence exports; and
 - Prioritised capability development plans for the armed forces over different time-frames in consonance with the overall priorities, strategies and likely resource flows.

Aim of the Defence Planning Committee:

- The aim is to **leverage this cross-governmental body**—comprising the chairman of the chiefs of staff committee, three service chiefs, the defence, expenditure and foreign secretaries—to enhance India's ability to do some long-term strategizing.
- The DPC is being tasked with drafting reports on “national security strategy, international defence engagement strategy, road map to build a defence manufacturing ecosystem, strategy to boost defence exports, and priority capability development plans”.

Challenges that existed till now:

- The central challenge in defence planning remains the **issue of uncertainty**.
- Indian defence planning stands at a crossroads. The **silos-driven approach** to defence planning has resulted in the **lack of an integrated view**. The three services as well as the civilian and defence agencies are often seen to be working at cross purposes. Instead, individual services tend to be driving the agenda at their own levels.
- “The defence planning process is greatly handicapped by the absence of a national security doctrine, and commitment of funds beyond the financial year. It also suffers from a lack of inter-service prioritization, as well as the requisite flexibility”.
- This **lack of synchronization** was underscored recently. On the one hand, the Indian Army chief was talking of a two-front war. On the other, the vice-chief of army staff was testifying before the parliamentary standing committee on defence that the budget allocated to the defence forces was hardly enough to complete the committed payments for the emergency procurements already made, let alone for pursuing an ambitious defence modernization plan.
- Reforming this system remains a **core requirement for India** to adequately manage its scarce resources and align these with political objectives.
- Indeed, the absence of an Indian “grand strategy” that sets out political objectives for Indian power projection—and then **ensures military, economic, intelligence and educational development**—coordinated toward these objectives, has been a perennial topic of discussion within Indian strategic circles.

Conclusion:

- In the Indian context, a **transformative shift** in mindset, structures and processes is needed. Rapidly evolving security environment as well as a near permanent pressure on scarce resources underscores the need for strategic defence planning.
- It is of prime importance that the **process is optimally managed** to produce the most effective force structure based on a carefully worked out long term plan, in the most cost effective manner.
- The Defence Planning Committee will thus, hopefully, **speed up defence acquisitions**, with a long-term view on how to fit them into India's current and future security challenges. This would help make India's defence preparedness more than an acquisition centric exercise.
- It will **'evaluate foreign policy imperatives'** and also chalk out a strategy for international engagements that would include exports of products made in India and foreign assistance programmes to enhance India's military footprint through defence diplomacy.
- The DPC is expected to clearly articulate **the key national security/ defence/ military goals** as well as prioritise defence and security requirements as per the likely available resources while at the same time providing adequate focus on emerging security challenges, technological advancements, and establishing a **strong indigenous defence manufacturing base**.

13. Supreme Court judgement: Dilution the SC/ST act

Background:-

- Recently several states were affected by violence and clashes following Bandh call given by several SC/ST organisations protesting the Supreme court's recent judgement on SC/ST act in ***Subhash Kashinath Mahajan v. State of Maharashtra***. The earlier amendments which tried to make the act stringent did not serve the purpose as well.

Key findings of the NCRB report :-

- India has over 180 million Dalits. A crime is committed against a Dalit every 15 minutes.** Six Dalit women are raped every day. Over the last 10 years (2007-2017), there has been a 66% growth in crime against Dalits.
- In fact, the share of false cases under the SC/ST Act has declined over time (2009-2015).
- A total of 40,774 cases were registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and other sections of law over alleged crimes against SCs and STs in the year 2016.
- Of these, charge-sheets were filed in 78.3 per cent cases, and the conviction rate was 25.8 per cent.
- Assaults on women with the intent to outrage modesty**, at 7.7% (3172 cases), reported the highest number of cases of crimes/atrocities against Scheduled Castes (SCs), followed by rape with 6.2% (2541 cases) during 2016.
- Uttar Pradesh in reporting the maximum number of crimes against Dalits.
- In cities too**, the trend was reflected with Lucknow reporting 88 cases of crimes against women. This accounted for more than 30% of all crimes against Dalits reported in Lucknow. More than 40 of these cases were of rape.
- In the case of Scheduled Tribes**, the number of cases stood at 6,568 in 2016. In the case of STs, Madhya Pradesh (1,823 cases) reported the highest number of cases of atrocities at 27.8% followed by Rajasthan with 18.2% (1,195 cases) and Odisha with 10.4% (681 cases).
- In the case of STs, there were 974 rape cases which constituted 14.8% of all crime against them, followed by assault on women with intent to outrage her modesty with 12.7% (835 cases) and kidnapping and abduction with 2.5% (163 cases).
- Based on data it shows that it is **mostly ineffective implementation of the act that is leading to atrocities rather than misuse.**

Implications of supreme court judgement which diluted the SC/ST act :-

- Data from the National Crime Records Bureau shows that the **proportion of false cases registered under the act has actually fallen**. Moreover, the method of using conviction rates to evaluate whether a law is sound is fraught with danger.
- Given the **upper-caste control of the law and order machinery**, conviction rates in caste-related crimes will be low.
- Dilution of the act will result in increasing of atrocities against Dalits and also create a rift in the society.**
- Many incidents happen that don't get reported under the Act** because people who aren't educated don't even know it exists.
- Most Dalits **do not register cases for fear** of retaliation by higher castes.

'DILUTION' OF SC/ST ACT

WHAT'S THE ACT? The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989. It is meant to speed action on complaints of violence against Dalits.

WHAT SC HAD SAID? On March 20, it heard a private petition and said the law was being misused. It banned arrests under the Act without prior nod from officials. It also held that a court can grant anticipatory bail in case of false complaints

WHAT HAPPENS NOW? Centre filed a review petition on Monday, but SC did not grant urgent hearing. As per SC rules, review petition is decided by judges after it's circulated among those who give the order under review.

THE DALIT ANGER Dalits have accused successive govts of failing to protect them



of 1.45L cases involving Dalits awaiting trial by 2016-end

1/10th of cases brought by Dalits in 2016 found false



share of Dalits in India's 1.3 bn population

- Experts say that the **judgment effectively neutralises the Act** which provided some sense of protection to hapless people against oppressive societal prejudices.
- There are studies, such as one by the Centre for Social Justice, Ahmedabad, which have exposed how **cases of atrocities result in acquittal due to the anti-Dalit attitude of the law enforcement.**

Is it Judicial Over reach?

- It's certainly not. Supreme Court has taken its decisions after studying cases from various High Courts of the country. Government deals with making laws and regulations for the proper functioning of the society. High Courts have given advice to Supreme Court depending upon its study of cases and rulings. An innocent should not be punished. There should not be terror in the society.
- If any law made by government is falling short of desired result and not functioning well in the Society, it is the Duty of Judiciary to remove the short comings and suggest measures for proper functioning. Supreme Court and High Courts of the Country, have found issues in the laws and hence updated it in accordance to new updated version to deal with the Atrocities against the SC/STs.

Meaning behind supreme court and why this is right (Innocent citizens cannot be terrorised by SC/ST Act provisions, says Supreme Court):-

- Supreme court gave the judgement on the pretext that Innocents cannot be terrorised by the provisions of the SC/ST Act and their fundamental rights need to be protected.
- Article 21 of the Constitution equally applies to all the citizens and none of the provisions of SC/ST Act has been diluted.
- Enough safeguards are provided so that interests of the innocents are protected from being arrested and false cases are not encouraged.
- The reasons behind the low conviction, which is 15%, is because cases are registered without proper investigation and a simple accusation leads to an FIR which does not stand scrutiny in a court of law. This exercise is a way to harass people and is a complete waste of time of both the police and the court.
- More cases under the Act are filed in rural areas as opposed to urban areas where caste identities are blurred. It is easier to falsely implicate people in rural areas. So protection to all citizens is necessary.
- "Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens rest primarily with the respective state governments.

Conclusion:-

- The Supreme Court judgement need to be seen in the **context of social justice** rather than as partisan. It said that mandate of court is to protect the Constitutional rights and "fundamental rights of citizens has to be kept at the highest pedal".
- SC stated that "**liberty of the innocents** cannot be allowed to be taken away. If no forum is there, then some forum in court has to be there to protect the interest of innocent citizens."
- Honourable SC has just tried to create a balance between protecting rights of weaker sections and rights of innocents. **Article 21 is for ALL.** While ensuring safety of one, rights of another should not be compromised.
- **SDG 2030 Goal 16** deals with Peace and Justice. The new and update rule will not only provide Benefit to SC/ST Community but would also Benefit Innocent and Law abiding Citizens and Government Officials that Perform Their Duties Honestly and for Country's better Future.
- There is need for **Stakeholders to understand full aspect** of new rulings before criticising the SC and its Judgement. SC has been one of the Basic Pillars for Indian Democracy since its inception and has taken several decisions that benefitted Indian Citizens and Country as **Section 18** of the Act is its "**backbone**" as it enforces an inherent deterrence and instils a sense of protection among members of the SCs/STs.
- The **need of hour** is understanding the concept and Reasons behind this Ruling and Pointing Error, if any, in the law to SC. There must be Collaborative Political Debates and Discussions on topics on National Interests.

14. The Finance Commission and the Thiruvananthapuram conclave

Context:

- **Three southern states and Union Territory Puducherry** came out against the **Terms of Reference (ToR)** stipulated by the Centre in the **15th Finance Commission** for devolution of funds to states.
- They were of the view that there was an attempt to reduce the Centre's share to states through the 15th Finance Commission, "If this is allowed to succeed, states would become a glorified municipalities".

Concerns by Southern States:

- South Indian states have raised concerns over a **new population-based formula for tax** sharing between the Centre and states. The 15th Finance Commission, constituted in November 2017, has recognised population as an important criteria for distribution of taxes and said it will use data from the 2011 census while making recommendations for the five-year period beginning from 2020.
- The southern states, however, want the recommendations to be based on 1971 census data. This is because, as compared to northern states, south India has recorded significant progress in population control or in the replacement rate of population growth.
- At a conclave of finance ministers of southern states here, Kerala, Karnataka, Andhra Pradesh and Puducherry opined that ToR was **in contradiction to the principles of Federalism** enshrined in the Constitution and also would **result in revenue loss** to performing states.
- According to the 1971 Census, the southern states' population was 24.7 per cent of the total population; according to the 2011 Census data it had fallen to 20.7 per cent. ToR would adversely affect the better-performing states.

Six Major Issues Raised By These States:

ToR NO: 1 – 2011 CENSUS AS THE REFERENCE POPULATION

- For providing comparable level of basic services across all the states, the population size of each state is clearly an important determinant.
- The relevant population to provide comparable services must be the present population, but not the population 40 years ago.
- 1971 population was used for electoral purposes of delimitation as changing that reference year would change the existing balance of constituencies. That is a separate political issue and it should not be mixed up with the Finance Commission, because the Finance Commission is to look at the equity.
- Moreover, there is one provision in 15th Finance Commission's ToR 7(ii) with regard to recognition of the States for their success in reducing the population.

Tor No: 2 – The Commission May Also Consider Whether Revenue Deficit Grants Should Be Provided At All

- This is in conflict with the mandate of the Finance Commission.
- Finance Commissions compare the expenditure needs of states with their available resources and both are based on explicit criteria.
- If there is a gap between the estimated expenditure needs of a state and the revenue resources available after factoring in its own revenue-raising capacity and revenue share from devolution, the Finance Commission provides an additional RD grant to fill the gap.
- The manner of estimating and filling the gap is varied from Finance Commission to Finance Commission. It is in line with the principle of equity.
- All Finance Commissions provided RD grants to fill the gap. So not doing the same would be in conflict with the principles of equity followed by the past Finance Commissions.

There are already provisions for grants in aid for Local Bodies and Disaster Management.

Tor No: 3 – Fiscal Consolidation

- The 15th Finance Commission hopefully follow the global best practice being pursued in many advanced countries and emerging market economies.
- It is setting the structural fiscal deficit as the target deficit level.
- It is to maintain a sustainable level of public debt. That means, actual fiscal deficit ratio being higher than the structural deficit, when the growth is too low and the actual fiscal deficit can be lower, when the growth is too high.

- Target deficit should be the combined deficit for both Union and the States. 15th Finance Commission has to say how this is to be apportioned between the Union Government and different States.
- Maintaining macroeconomic stability is the constitutional responsibility of the Union Government.
- The deficit apportioned to the States should look at capacity to deliver a minimum level of public services.
- Once again, there is a need for Cooperative Federalism, which can be applied for other macro-economic policies.

Tor No: 4 – Performance Based Incentive Grants

- The 15th Finance Commission has been encouraged to use this approach and prepare measurable indicators for the same.
- They are mostly related to flagship programmes and other favourite schemes of the Union Government.
- These are being supported by central or Centrally-Sponsored Schemes (CSS) of the Union Government.
- Already, the Central Government attaches more importance to its own schemes.
- The incentives for States already built into CSS.
- Now, the Union Government seeks to leverage Finance Commission grants to induce state governments to also focus on these programmes rather than their own programmes.
- This is an unhealthy trend, quite contrary to the spirit of federalism and should be strongly discouraged.

Tor No: 5 – Finance Commission Is Asked To Assess The Impact Of GST, When The GST Council Is Already There

- This concern is unwarranted.
- GST comes under the jurisdiction of the GST council.
- In reviewing and assessing the revenue flow from indirect taxes, the 15th Finance Commission will have to assess the revenue impact of GST.
- Without this, the 15th Finance Commission cannot assess the flow of Indirect Tax Revenue.
- Moreover, the States have been guaranteed compensation for any loss from GST, as per agreed formula for the next five years. So, States need not worry about this.

Tor No: 6 – Conditions For Approving State Borrowing

- The Union Government has been explicitly empowered to approve or disapprove State's borrowing programme against the conditions imposed by it under Article 293, if there are any outstanding loans or guarantees of the Union Government to a State.
- The States no longer borrow from the Union and all such outstanding debt will be paid off from around 2025.
- But, external loans are still provided to the states through the Union Government and against sovereign guarantees provided by the Centre.
- Hence, the State Governments will have to continue to seek approval of the Union Government, subject to conditions it imposes, for their borrowing programme. This is a constitutional requirement.

The time has come for India to move to the third phase of federalism. Many of our states are larger than 90% of nations on earth. We need to allow each state to have its own model of governance, bureaucracy and local governments, but with firm safeguards to preserve national unity, separation of powers, fundamental rights and democratic accountability.

The one-size-fits-all model cannot deliver the desired outcomes of prosperity, elimination of poverty and national greatness in a vast and diverse nation of 1.3 billion people. We need more flexible federalism, strengthening India's unity and integrity, and allowing us to fulfil our potential.

Only the spirit of "co-operative federalism" and not an attitude of dominance or superiority can preserve the balance between the Union and the States and promote the good of the people.

Conclusion:

- "The policy of sharing central funds with states was hitherto done based on the 1971 census. Now the 2011 census will be taken, and if that happens, Kerala as well as a few south Indian states would be the worst affected as our population growth was just 56 per cent as compared to 150 per cent in certain states in the country.
- "If 2011 is going to be used, Kerala will lose Rs 20,000 crore in five years, while Tamil Nadu stands to lose Rs 40,000 crore".
- "The need to transfer resources to less-developed regions of the country is legitimate. We **need to redress regional imbalances** in development.

- The question is: ‘Should this be done by **under investing in the South?** Should development and population control not be incentivised?’ The future course for the Finance Commission, “It must **bring new thinking to the table** and give **incentives to tax mobilisation efforts**; growth engines such as Bengaluru, Hyderabad, Coimbatore, Kochi, etc; and education and employment of women (proxy for population control).”
- To conclude, some of the concerns flagged at the **Thiruvananthapuram Conclave** regarding the ToR of the 15th Finance Commission are unwarranted, while others are legitimate. The states should indeed **raise these legitimate concerns**. However, they will hopefully do so in a **spirit of cooperative federalism** and keeping in view both the national interest as well as the overarching principle of equity among the states.

15. Nabbing absconders: on Fugitive Economic Offenders Ordinance

Background:

- There have been **several instances of economic offenders** fleeing the jurisdiction of Indian courts, anticipating the commencement, or during the pendency, of criminal proceedings.
- The absence of such offenders from Indian courts has several deleterious consequences – first, it hampers investigation in criminal cases; second, it wastes precious time of courts of law, third, it undermines the rule of law in India.
- Further, most such cases of **economic offences** involve non-repayment of bank loans thereby **worsening the financial health of the banking sector** in India. The existing civil and criminal provisions in law are not entirely adequate to deal with the severity of the problem.

HEAT ON ECONOMIC ABSCONDERS

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

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

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



Bill highlights

■ ED to start proceedings in special court by first issuing notice to ‘fugitive economic offender’

■ If offender appears in six weeks, notice will be terminated

■ Prosecution starts if he chooses to stay away from country and sends counsel

Context:

- Union Cabinet approved the promulgation of **Fugitive Economic Offenders Ordinance, 2018**. This will empower the Government to **seize the domestic assets** of those deemed by a Court to be Fugitive Economic Offenders.

Who is a Fugitive?

- A fugitive is defined as someone who has left India to avoid criminal prosecution or who is already overseas and refuses to return to face the law.
- In case of an Fugitive Economic Offender, these are people who have defaulted on loans and have fled the country.
- While presenting Budget 2017-18, the Finance Minister referred to instances of offenders fleeing the country to escape its justice system, and said the government was looking at a law to confiscate the assets of such persons till they return to face the law.

Recent Cases

- There remains great disquiet over liquor baron Vijay Mallya’s flight from the country, with his now-defunct Kingfisher Airlines having run up outstanding loans of over ₹9,000 crore from Indian banks.
- Both Mr. Mallya and former Indian Premier League commissioner Lalit Modi, who faces an Enforcement Directorate probe for foreign exchange law violations, are in Britain.
- Diamond Merchants Nirav Modi, Mehul Choksi and their associates firms defrauded the country’s second largest public sector bank of over ₹ 12,800 crore.
- India is no closer to getting Mr. Modi or Mr. Mallya back to face the law, with extradition proceedings against the latter crawling through U.K. courts.
- Government agencies have attached the diamond merchant duo’s assets in India, while an American court has disallowed the sale of their assets in other jurisdictions while allowing their U.S.-based entity to offload its assets.

The reason: **India is yet to pass a model law** mooted by the UN for cross-border insolvency cases.

Step by government to avoid Fugitive offenders:

- In September, the Finance and Law Ministries had agreed on a draft Bill, but it was only introduced in the Lok Sabha this March, in a session that proved to be a washout.
- The government is no doubt conscious of the clamour for tough action on absconding offenders, particularly those involved in financial misdemeanours and wilful defaulters of bank loans.
- Banks have been asked to mandatorily collect passport details of those borrowing above ₹50 crore, and the passports of some wilful defaulters are being impounded too.

THE FUGITIVE ECONOMIC OFFENDERS ORDINANCE

- A 'Special Court' would be set up under the Prevention of Money-Laundering Act, 2002 to declare a person a Fugitive Economic Offender.
- So as to ensure that the Court is not over-burdened, only those cases, where the total value involved is Rs. 100 Cr or more will be within the purview of the Ordinance.
- The Ordinance also removes the offenders' right to defend a civil claim in the Country.
- The Ordinance provides for the appointment of an Administrator to manage and dispose of the confiscated property.
- At any point of time during proceedings, if the Fugitive Economic Offender returns to India and submits to the appropriate Jurisdictional Court, proceedings under the Act would cease by the law.

FUGITIVE ECONOMIC OFFENDERS AND RECENT DEVELOPMENTS

- In recent times, banks have been asked to mandatorily collect passport details of those borrowers above Rs. 50 Cr.
- The passports of some of the wilful defaulters are being impounded too.

Way forward:

- It is necessary to provide an **effective, expeditious and constitutionally permissible deterrent** to ensure that such actions are curbed.
- It may be mentioned that the non-conviction-based asset confiscation for corruption-related cases is enabled under provisions of United Nations Convention against Corruption (ratified by India in 2011). The Bill adopts this principle.
- The ordinance is expected to **re-establish the rule of law** with respect to the fugitive economic offenders as they would be forced to return to India to face trial for scheduled offences.
- This would also help the banks and other financial institutions **to achieve higher recovery from financial defaults** committed by such fugitive economic offenders, improving the financial health of such institutions.
- The government may have opted for the ordinance route to deflect the heat from these cases of fraud, but it **needs to present a coherent vision** about its plans to bring back those fugitives who have already got away and plug the remaining loopholes in the system.

16. Draft Coastal Regulation Zone (CRZ), 2018**Context:**

- The draft Coastal Regulation Zone (CRZ), 2018, which was released by the Ministry of Environment and Forests (MoEF), has the potential to change the way coastal stretches in India are governed. **India's coastline runs over 7,500 kilometres.**
- The new draft if implemented will not only have an effect on how common areas used by fisher folk are managed, but also bifurcate coastal zones along rural areas based on population density.
- Environmentalists claim that the draft has opened up fragile inter-tidal areas to real estate agents, and framed with an intent to favour large-scale industry at the cost of fishing communities.
- The new draft aims to **"conserve and protect** the unique environment of coastal stretches and marine areas, besides livelihood security to the fisher communities and other local communities in the coastal areas and to promote sustainable development based on scientific principles taking into account the dangers of natural hazards, sea level rise due to global warming..."

A **Committee headed by Shailesh Nayak**, former Secretary, has framed a report to reconsider the limits of the existing Coastal Zone Regulations.

New Coastal Regulation Zone Rules Proposed

1. Eco-tourism activities such as mangrove walks, tree huts and nature trails in identified stretches, subject to permissions.
2. There are several sub-divisions within 4 regions, for example CRZ-I is split into CRZ-I A and CRZ-I B and CRZ-III into III A and III B.
3. CRZ shall apply to the land area between high tide line to 50 mts on the landward side of creeks, estuaries, backwaters and rivers.
4. 50 metre limit after approval of State.

The salient features of the draft CRZ Notification, 2018 and changes with respect to CRZ Notification, 2011, are as under:-

- (i) The High Tide Line (HTL) has been demarcated by the National Centre for Sustainable Coastal Management (NCSCM) and shall be reckoned as a universal standard for the HTL for all regulatory purposes.
- (ii) Hazard line mapping has also been carried out by Survey of India. The Hazard Line has, however, been delinked from the CRZ regulatory regime and shall be used only as a tool for Disaster Management and planning of adaptive and mitigation measures.
- (iii) CRZ limits on land along the tidal influenced water bodies has been proposed to be reduced from 100 meters or the width of the creek, whichever is less, to 50 meters or the width of the creek, whichever is less.
- (iv) A No Development Zone (NDZ) of 20 meters has been proposed to be stipulated for all Islands close to the main land coast and for all Backwater Islands in the main land.
- (v) For CRZ-III areas, two separate categories have been proposed viz.:
 - CRZ-III A – Densely populated rural areas with a population density of 2161 per square kilometre as per 2011 Census. Such areas shall have an NDZ of 50 meters from the HTL as against 200 meters from the HTL stipulated in the CRZ Notification, 2011.
 - CRZ-III B – Rural areas with population density of below 2161 per square kilometre as per 2011 Census. Such areas shall continue to have an NDZ of 200 meters from the HTL.
- (vi) Projects/activities, which are located in the CRZ-I & IV areas, shall be dealt with for CRZ clearance by the MoEF&CC. For all other project activities located in CRZ-II/III areas, CRZ clearance shall be considered **at the level of the CZMA**.
- (vii) As per CRZ, 2011 Notification, for CRZ-II areas, **Floor Space Index (FSI)** or the Floor Area Ratio (FAR) had been frozen at 1991 Development Control Regulation (DCR) levels. In the Draft CRZ, 2018 Notification, it has been **proposed to de-freeze** the same and **permit FSI for construction projects**, as prevailing on the date of the new Notification.
- (viii) **Temporary tourism facilities** such as shacks, toilet blocks, change rooms, drinking water facilities etc. have been proposed in Beaches. Such temporary tourism facilities are also proposed to be permissible in the No Development Zone (NDZ) of the CRZ-III areas.
- (ix) Wherever there is a **National or State Level Highway** passing through the NDZ in CRZ-III areas, temporary tourism facilities have been proposed to be taken up on the seaward site of the roads. On the landward side of such roads in the NDZ, Resorts/Hotels and other tourism facilities have also been proposed to be permitted subject to the extant regulations of the concerned State.
- (x) **Regulated limestone mining** is proposed to be permitted, subject to strict Environmental safeguards, in areas adequately above the height of HTL, based on recommendations of reputed National Institutes in the Mining field.

Projects that require MoEF's approval

- Only those projects located in **CRZ-I (environmentally most critical) and CRZ-IV (water and seabed areas)** shall require MoEF clearance. All other projects shall be considered by Coastal Zone Management Authorities (CZMAs) in the states and union territories.
- The draft also allows for **construction of roads and roads on stilts**, “by way of reclamation in CRZ-1 areas”, only in exceptional cases for “defence, strategic purposes and public utilities,” to be recommended by the CZMA and approved by the Ministry. However, it does not explicitly state what strategic projects are.

The Draft Empowered CZMAs at the State Level:

- The idea is to complete the process of **drawing up plans** in consultation with **coastal dwellers**.
- **Land and sea are constantly merging**. As a result, this cannot be done through satellite images.
- The relaxations/ amendment proposed in the CRZ notification, shall come into effect only after respective CZMPs that were to be framed under the previous CRZ notification, have been revised or updated by the states/UTs and approved by the Ministry.

BENEFITS

- **Economic Growth:** The new proposal will make India's coast more accessible to tourism and industrial infrastructure, which will lead to a boost to economic growth.
- **'State'- Deciding authority:** Moreover, it will also give individual states the power to decide on their own about any development in the region.

Criticism

- The government is set to overhaul the coastal zone regulation rules and the proposed changes will **promote commercialisation** in the most protected zones, proving disastrous for the environment and coastal communities, say experts.
- The draft empowers CZMAs at the state-level, which is responsible for the Coastal Zone Management Plans (CZMPs). "The idea is **to complete the process of drawing up plans** in consultation with coastal dwellers.
- The MoEF has said that the "**relaxations/ amendment**" proposed in the CRZ notification, 2018, shall come into effect only after respective CZMPs that were to be framed under the previous CRZ notification, have been revised or updated by states/UTs and approved by the ministry.
- The National Green Tribunal has noted that it has been seven years since the deadline set by the 2011 notification to submit CZMPs to the MoEF has passed.
- Several states have held public hearings in this regard. While **Maharashtra has requested an extension**, the public hearing in **Ramanathapuram in Tamil Nadu** was forcibly cancelled last week due to opposition from fisherfolk.
- "Coastal spaces are fluid. Applying models that pertain to inland areas to the coast is problematic. Delhi and its corridors of power lack an understanding of what these places are.

Way ahead:

- The new draft CRZ notification has major recommendations that will **boost tourism development** in coastal areas of the country, which **remains untapped** due to stringent regulatory framework.
- The relaxations/amendment proposed in the CRZ Notification, 2018 shall, however, come into force only after the respective Coastal Zone Management Programme (CZMP) framed to the CRZ Notification, 2011 have been **revised/updated by the States/UTs**, as per the provisions of the CRZ, 2018 Notification and approved by the Ministry of Environment, Forest & Climate Change.
- The government says that the new rules will **benefit coastal communities**. But fears persist that although the changes are being packaged as **pro-poor and pro-tourism**, the concerns of the latter will override those of communities.

17. BS-VI: Fuel in 6th Gear

- **India** today, is home to **one of the most polluted cities** in the world. For example, the **air quality** in its national capital **Delhi is six times more dangerous** than **prescribed by the World Health Organisation**.
- Delhi has thus, switched from Delhi has switched **from Euro-IV grade to Euro-VI petrol and diesel** which contains **lesser sulphur** and implies lesser pollution.

Analysis:

- **Delhi** has become first city in India to sell the **cleanest fuel in world BS VI** on 01.04.2018. two years ahead of its deadline. It is the **fuel equivalent to Euro 6** emission norms. It is a pro-active move of the government showing its willingness to achieve the target of switching to cleaner fuel.
- Cities neighbouring Delhi and **30 major cities** including Mumbai, Chennai, Bengaluru, Mumbai and Pune will also switch over to the BS VI-fuel **from 1st Jan 2019**. In the **rest of the country** it is planned to be rolled out **from April 2020**.

- The move has **cost thousands of crores rupees to refinery companies** like Indian Oil for its fuel upgradation. The **automobile companies will also have to bear the cost** to improve their **engines** and for additions like **oxygen sensors, selective catalytic reduction and particulate filters** to improve to BS VI standard that will become mandatory by 1st April 2020.
- **Refineries** need to put up **diesel hydro-treating units, desulphurisation tech and octane boosting units** to shift to BS VI. Indian refineries are investing 30,000 crore rupees to upgrade the technology.
- Use of BS VI fuel increases fuel efficiency, improves combustion (chemical reaction between fuel and an oxidant) and reduces emissions.
- **Advantages of using BS VI fuel** lie in the **reduction of pollution emissions:**
 1. **Sulphur will be down** from current BS IV level. BS VI = 10 ppm Sulphur and BS IV = 50 ppm Sulphur (ppm = parts per million)
 2. **Particulate matter** (sum of all solid and liquid particles suspended in air) will be reduced from 0.005 g/km as against 0.025 g/km of BS IV standard.
 3. Emission of **Nitrogen Oxide (NOx)** will be 70% less.
- **Bharat Stage Emission Standards (BSES)** are emission standards instituted by Government of India. They **regulate the output of pollutants** from Internal combustion engines and spark-ignition engines, including **motor vehicles**.
- **The fuel standards** are decided in India by **Environment Ministry** and their **implementation** is managed by **Central Pollution Control Board**.
- **According to international standards, PM 2.5** should not exceed 60 microgram/m³ in air. But, **Delhi's PM 2.5 levels are 10 times higher**.
- Burning of any fossil fuel creates pollution. So, either the vehicles should be changed to other types like electric vehicles or else, the fuel which is being burnt shall be made cleaner.
- Increasing **air pollution causes diseases** like Asthma, Bronchitis, heart disease, etc. NOx when mixed Hydrocarbons in the atmosphere make the air poisonous.
- **Earlier Lead, being a slippery metal, was added for lubrication** requirements in engines. But, **in 1990s it was removed** and refineries added certain additives in its place as use of lead was not safe.
- After introduction of **unleaded petrol in 1990s**, due to economic liberalisation, the number of vehicles increased at a large rate. In 1999, the Supreme Court ruled that all vehicles in India have to meet **Euro I or India 2000 norms**. Then, **by 2004-05 Euro 2 norms** were implemented all over the country. Starting from 2005 in Delhi, **Euro 3 norms** were implemented all over the country by 2010. **Finally, BS 4 standards** were implemented in Delhi and 13 cities in 2010 and they were in force **over the country by 2017**.

Conclusion:

- Starting from use of lead in petrol, India has moved forward to unleaded petrol and then subsequently increasing its BS norms to BS 4.
- Seeing the **poor Air Quality Index of Delhi**, the early **implementation of BS 6 in the region is a welcome step** and it shall soon be implemented all over the country.
- To keep the rising air pollution in its cities alternative to **cleaning the fuels and research on switching to other modes like electric vehicles** need to be kept on track.

INSIGHTS IAS