MIND MAPS

SEPTEMBER 2018
India is one of the largest importers of drones.
The Drone Policy is aimed at regulating the practice of civilians flying drones in India.
The drone market in India holds the potential of hitting over $1 trillion.
The guidelines would help foster technology and innovation in the development of drones.
The regulations will encourage a vast Made in India drone industry.
It will place the country among the global leaders in drone technology.
The policy will usher in a new idea of “drone micro-entrepreneurs.”
The commercial drone industry could create jobs for Indian youth.
Drones can also contribute to the export market.

In U.S., the Federal Aviation Agency (FAA) allows the civilian use of drones with caveats, while their commercial use is licensed.
Various countries of the European Union (EU) currently have multiple regulations covering drone flights.
Many countries are still experimenting with their drone regulations.
No ICAO (International Civil Aviation Organisation) stands have been developed.

While drones have historically been used in military operations, their application for peaceful purposes has risen steeply in recent years.
Drones have an extensive range of applications like disaster relief, GIS mapping, crowd monitoring, traffic management, and detection of suspicious activities etc.

In recent times, Drones have been recognised as an effective tool for planning, management, and decision-making, locally and globally.
Aerial surveillance of crops, precision agriculture, and targeted pesticide spraying.
In Madagascar, drones are being used to deliver medical supplies and equipment to remote areas.
Drones can also provide accurate, detailed maps of key resources present.
Show the demographic distribution which can help in identifying how social groups are segregated and distributed within a region.
Flying drones safely in India will require research and development to understand how they can be best used in India’s unique landscape.
The government needs to create the right ecosystem for drone operations to add to the economy’s automation dividend.

India’s First Drone Policy

Advantages

The government has set up a regulatory framework for drone operations, including commercial use.
It will come into force from December 1.

The military in India has been using drones since 1980s, and world’s 13% of all military drones are in India.
Since last few years, civilians in India had started flying drones.
As the cost of drones came down, civilians started ordering drones from China.
When untrained civilians start using drones, it can cause accidents and mishaps.

It was necessary to develop standard drone regulations that would permit, with appropriate safeguards.
So the Government came up with its first Drone Policy, which can solve the complications.
Investor confidence was low given that there was no clarity on the legality of drones. That will change now.
The drone policy has been made keeping in mind several parameters such as the height at which a drone can travel, the area in which it can be used, registration of the drone and more.
Owners and pilots of the drone need to be registered with the ministry.
Permission for flying a drone needs to be applied via an app.

As per the ministry, during daytime, a drone can be flown up to a height of 400 meters.
There will be special ‘No Drone Areas’ such as airports, near international borders and especially in some areas of vital military installations and such.
It is mandated for obtaining a Unique Identification Number (UIN) and Unmanned Aircraft Operator Permit (UAOP) for flying of drones, with exemptions in certain cases.
Although private operators can use drones across various sectors like health, agriculture, disaster relief, the current policy clearly bars the delivery of items by drones for now.
An all-digital process for registering and operating drones.

It is called as the Digital Sky Platform and is “first-of-its-kind national unmanned traffic management (UTM) platform that implements ‘no permission, no takeoff’ (NPNT).”
This UTM will be in close contact with the defense and civilian air traffic controllers (ATCs) so that the drones remain on the correct course.
Announced in the 2017 budget for the Ministry of Science and Technology.

The scheme aims to arrange for girls students of classes 9, 10, and 11 meet women scientists, with the IITs and the Indian Institutes of Science Education and Research.

Attract talented young boys and girls to study science and pursue research as a career.

Inspire-MANAK (Million Minds Augmenting National Aspiration and Knowledge)

Unnat Bharat Abhiyan programme

Vigyan Jyoti scheme

Launched by the Ministry of Human Resource Development in 2014.

Connect India's elite institutes with local communities and address their developmental challenges with appropriate technological interventions.

Indo-US fellowship for women in science, technology, engineering, mathematics, and medicine to participate in international collaborative research in premier institutions in America.

Women-centric programmes under the Knowledge Involvement in Research Advancement through Nurturing (KIRAN) initiative.

Bio-technology Career Advancement and Reorientation (Bio-Care) scheme.

India will have the world's youngest population by 2022 and the women of the country will play a definitive role in devising the country's future.

It takes a multi-pronged approach to create meaningful, lasting changes in the retention of women in STEM fields.

Women's participation in STEM should be encouraged from primary school level rather than in higher studies.

Awareness about gender inequality and its outcome has to be increased.

The community should be supportive and understanding of career prospects for women.

Changing mindsets and overcoming biases.

Companies can provide more internship opportunities for women and give STEM scholarships to meritorious yet economically backward girls.

Initiating a well-planned role model programme with successful women scientists.

Special fellowships for girl students securing top positions in university exams.

Reintegrate women who have taken mid-career breaks.

Closing the pay gap.

Government agencies, universities, and society must work together to ensure that women achieve their full potential.

Science, technology, engineering, and medicine— together known as STEM fields—suffer from lack of women, especially in India.

In school exam results, we hear how girls have outshone boys, but when it comes to those who take up research in later life, the number of women is minuscule.

This means that many of our best brains showing the maximum potential do not pick research as a career.

According to the 2018 UNESCO Institute for Statistics' report on women in science, 44% of bachelor students and 41% of doctoral students in India are female.

Women face “double burden syndrome” - a culture where both men and women feel the family and household duties are primarily the woman's responsibility.

According to a recent survey on Women in STEM, 81% per cent of women in India perceive gender bias in performance evaluations.

While more women are enrolling in university, relatively few pursue careers in research.

The ideal fraction of 50% of female students has not been achieved.

There is a drastic drop in the percentage of women from the doctoral level to the scientist/faculty position.

There is a “major paucity” of women at the senior-most administrative and policy-making positions in scientific institutions.

When highly qualified women drop out of the workforce, it results in considerable depletion of national resources in science and technology.

Stereotypes encountered by girls to the family-caring responsibilities.

Patriarchal society.

Women face bias when choosing a career.

Women continue to face the same kind of discrimination at work as they face in society.

According to a recent Accenture research report, the gender pay gap in India is as high as 67 percent.
The 229th Law Commission report proposed establishing separate benches to hear appeals and constitutional matters. The report also suggested the establishment of regional Supreme Court benches to hear appeals from high courts. The Law Commission had also recommended an increase in the number of judges to 50 judges per 10 lakh people.

India has 19 judges per 10 lakh people on an average, according to a Law Ministry data which also states that the judiciary faces a shortage of over 6,000 judges, including over 5,000 in the lower courts itself.

According to Markandey Katju, a retired Supreme Court justice, judges should have no more than 300 cases pending at any one time, but backlogs for individual judges stretch into the tens of thousands.

Because of large caseload of ordinary cases, the Supreme Court is finding it difficult to schedule important constitutional cases that require larger benches.

The chief justices of the 24 high courts must fast-track cases that are pending for more than 10 years. Increasing the number of judges or creating additional benches.

Chief justices of the 24 high courts must speed up recruitment of judicial officers for the lower judiciary.

A long-term goal to keep courts open 365 days a year.

A committee of retired judges should be appointed to find out the problems that lead to the stalling of cases, their remedies and implement them.

Supreme Court can have special benches across India so that the poorer citizens can have greater access.

Our courts should be fully digitised and technical experts should be brought in to streamline the whole process right from when a person files a case, to updating it, to the final verdict.

We have to do a major overhaul of “de-Britishising” of the system i.e. overhaul of archaic laws.

Having four to five clerks for each judge to help filter out appeals, write memos, and draft decisions, which is the norm in countries such as South Africa or the United States, could greatly reduce the judges’ workload.

Brazil disposes of about 100,000 cases each year with far fewer judges. To take on such a large load, clerks and other staff take a central role in drafting decisions for the many routine matters. Judicial process needs to be streamlined. Lawyers need to be penalised for delaying matters without reason.

A multi-pronged approach needs to be adopted to tackle the issue of “government litigation”.

Addressing the backlog is necessary to maintain India’s “constitutional democracy,” to adhere to “the rule of law” and to “guarantee order and stability in society”.

The country’s progress depends on a strong judicial system which can provide quick justice because justice delayed is justice denied.

According to several legal scholars, the Supreme Court’s pendency problem originated in the late 1970s. In the decade before the Emergency, the Supreme Court had an annual backlog of around 10,000 cases.

In the decade after the Emergency, this ratio increased which peaked in 1991 at more than 100,000 pending cases.

Supreme Court has seen nearly two million cases disposed and more than 50,000 judgements delivered since its inception.

Yet the Supreme Court continues to be plagued by pending cases. Latest figures reveal that there are 54,013 pending matters in the Supreme Court.

In the high courts, at the end of 2017, there were more than 4.2 million pending cases. Over 22 lakh cases, which are over a decade old, are pending in various subordinate courts of the country, latest official data shows.

These cases constitute 8.29 per cent of the total nearly 2.5 crore cases pending in the lower courts.

The criminal cases are more compared to civil cases.

Inordinate delay in filling up the vacancies of judicial officers.

The Supreme Court’s increased activity is being driven by appeals from lower courts.

The special leave petition (SLP) which the Constituent Assembly hoped would be used sparingly, but which now dwarfs the work of the Supreme Court.

Increasing number of state and central legislations.

In addition to judicial shortages, courts are underfunded.

Frequent adjournments and indiscriminate use of writ jurisdiction.

Due to Government Litigation. According to the Ministry of Law and Justice, government departments are a party to around “46 percent” of court cases.

Right to justice, which is a fundamental right, would stand denied to litigants due to delay in the disposal of cases.

Due to the backlog, most of India’s prison population are detainees awaiting trial.

Courts in Mumbai are clogged with decade-old land disputes, hindering the city’s industrial development.

The pursuit of justice has been made more expensive by chronic delays.

This exacerbates the discrimination already faced by India’s minority and low-caste groups.

Corruption too, is endemic. People would rather bribe a police officer than go through the lengthy hassle of a trial.

The impunity that criminals may enjoy because of slow legal system.

The e-Committee of the Supreme Court had launched the National Judicial Data Grid (NJDG) to provide data on cases pending in the district courts across the country.

The NJDG is a part of the on-going e-Courts Integrated Mission Mode Project.

The NJDG works as a monitoring tool to identify, manage and reduce pendency of cases.
Many people started handling PIL as a tool for harassment because frivolous cases can be filed without heavy court fees. The judiciary has been criticized due to the overstepping of its jurisdiction. PIL is sometimes misused by the public by seeking publicity rather than supporting the public cause. The abuse of PIL has become more rampant than the genuine causes either receded to the background or began to be viewed with the suspicion. Political pressure groups who could not achieve their aims through the administrative process may try to use the PIL to further their aims and interests.

There are concerns about the misuse of PILs. The overuse and abuse of PIL can only make it ineffective. Many times, a PIL becomes a ‘Personal Interest Litigation’. Politically sponsored cases are filed in the form of PIL.

If such petitions are not disposed of in the petitioners’ favour, the date of such a judgment is dubbed as a ‘black day for the judiciary’. Many have regarded this case as the first PIL in India. The Court focussed on the situation of under-trials in Bihar who had been in detention pending trial for periods far in excess of the maximum sentence for their offences.

PIL was initiated in the Supreme Court to challenge sexual harassment in the workplace. The Vishaka judgment recognized sexual harassment as “a clear violation” of the fundamental rights of equality, non-discrimination, life, and liberty, as well as the right to carry out any occupation.

The judgement lashed out at civic authorities for allowing untreated sewage from Kanpur’s tanneries to make its way into the Ganges. The court passed three landmark judgments and a number of Orders against polluting industries in the Ganga basin.

The court must be careful to see that the petitioner must be acting bona fide and not for personal gain. The court should not allow its process to be abused by politicians and others to delay legitimate administrative action or to gain political objectives.

In shaping the relief, the court must take into account its impact on those public interests. The PIL activists should be responsible and accountable. Since it is an extraordinary remedy available at a cheaper cost to all citizens of the country, it should not be used by all litigants as a substitute for ordinary ones or as a means to file frivolous complaints.

Injustice anywhere is a threat to justice everywhere - Martin Luther King, Jr.

Public Interest Litigation (PIL) means a legal action initiated in a court for the enforcement of public interest in which their legal rights or liabilities are affected. Article 32 of the Constitution contains provisions regarding the involvement of public in the judiciary.

Efforts of Justice P N Bhagwati and Justice V R Krishna Iyer were instrumental in seeking legal remedies in all cases where the interests of general public or a section of public are at stake.

Obtaining justice for the people.

Voicing people’s grievances through the legal process.

A PIL can be filed in any High Court or directly in the Supreme Court.

The concept of PIL is in consonance with the principles enshrined in Article 39A of the Constitution to protect and deliver social justice with the help of law.

Some of the matters which are entertained under PIL are:

- Bonded Labour matters
- Neglected Children
- Non-payment of minimum wages to workers and exploitation of casual workers
- Atrocities on women
- Environmental pollution and disturbance of ecological balance
- Food adulteration
- Maintenance of heritage and culture

Public Interest Litigation is an important instrument of social change.

For maintaining Rule of law and accelerating the balance between law and justice.

It is for the welfare of every section of society.

It is beneficial for the developing country like India.

To combat the atrocities prevailing in society.

PILs have helped millions of citizens to claim their rights against the government overreach, or private actions.

Vigilant citizens can find an inexpensive remedy because there is only a nominal rate of court fees.

Litigants can focus on larger public issues in the field of human rights, consumer welfare and the environment.

Public participation in judicial review of administrative action is assured.

It has the effect of making judicial process little more democratic.
Throughout the world, such laws have led to abuses against lesbian, gay, bisexual and transgender people, including arbitrary arrests, violence, bullying in schools, denial of access to health and harassment at work.

Depression is high amongst members of the LGBT community and one of the primary reasons for it is the failure to lead a normal life.

Jobs and, in turn, financial security is denied to people on the basis of their sexual orientation.

Constant police harassment of the gay community.

Doctors need to say that homosexuality is not a disease.

Government needs to train doctors to understand health issues specific to the homosexual community. It needs to be part of the educational curriculum.

The ideals of individual autonomy and liberty, equality for all, recognition of identity with dignity and privacy of human beings constitute the cardinal four corners of our Constitution.

Right to Privacy enshrined under Article 21 upholds that if a person cannot enjoy his privacy then it hampers his right to dignified life.

It violates the provision of equality before law (Article 14).

Article 15 provides for a prohibition of discrimination on the grounds of religion, race, caste, sex or place of birth.

Petitioners argue that Section 377 is a violation to Freedom of Expression under Article 19 (1) (a).

The Supreme Court, while decriminalising homosexuality, has acknowledged the basic human needs of the citizens.

This will help the community claim equal constitutional status as other citizens.

It also affirms their right to claim the right to adopt, marry and have a family.

It may also prevent social exclusion with the court declaring that it was not a mental disorder. But something innate to a human being.

It will take time for it to be openly accepted by the society.

It will provide an impetus for other countries, especially those of the Commonwealth of Nations, to revoke similar provisions that criminalise consensual sexual relations.

172nd Law Commission Report recommended deletion of Section 377.

In 2016, a UN report had urged to decriminalize consensual homosexual relations.

In 2015, Ireland became the first country to legalise gay marriage.

In 2015, US Supreme Court held that same-sex marriages are legal.

Germany, France, UK, Canada, Australia and Brazil have de-criminalised homosexuality.

Michelle Bachelet, the new UN High Commissioner for Human Rights, applauded the Supreme Court’s decision to decriminalise homosexuality.

It will throw up several challenges on equality and discrimination.

Since homosexuality is against the majoritarian view on sexual orientation, decriminalising Section 377 might lead to widespread criticisms across the country.

Discriminization of Section 377 will open new debates on marriage, adoption, inheritance and other such rights.

Mere decriminalizing Section 377 does not ensure rights of the LGBT community.

Decriminalizing Section 377 does not ensure a halt in discrimination against the LGBT community.

The other challenge for LGBT members will be with respect to acceptance in jobs and in family gatherings.

It is time for the Indian Parliament to conduct wide-ranging review of existing legal framework, repeal discriminatory laws, and address other gaps in the law that prevent LGBT persons from fully exercising their rights.

The Supreme Court has restored a landmark Delhi High Court judgement which had decriminalised homosexuality.

Dipak Misra’s opinion lays emphasis on transformative constitutionalism that is, treating the Constitution as a dynamic document that progressively realises various rights.

Section 377 of the IPC states: “Whoever voluntarily has carnal inter-course against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”

This archaic British law dates back to 1861 and criminalises sexual activities against the order of nature.

The Delhi High Court in Naz Foundation v. Government of NCT of Delhi (2009) held that criminalising sexual activities with consent in private not only impairs the dignity of those persons, but it is also discriminatory and impacts the health of those people.

The Delhi High Court decriminalised homosexuality on the grounds that Section 377 is a violation of Article 14, 15 and 21.

Supreme Court, in Suresh Kumar Koushal v. Naz Foundation (2013) judgment and said that homosexuality under Section 377 of IPC is illegal and will continue to be an offense.

The court said that Section 377 did not suffer from any “constitutional infirmity.”

It said there was no need to challenge Section 377 because the LGBT community constitutes only a minuscule minority.

The court also added the responsibility of amending or removing Section 377 lay with the Parliament.

In the Puttaswamy vs. Union of India case the Supreme Court held right to privacy as a fundamental right.

The court stated that privacy included the preservation of personal intimacies and that sexual orientation was an essential attribute of privacy.

The Court argued that right to privacy and the protection of sexual orientation lay at the core of fundamental rights guaranteed under Article 14, 15 and 21.

The constitutional morality makes it mandatory for the state to provide equality to all.

Section 377 abridges both human dignity as well as the fundamental right to privacy and choice of the citizenry.

It is the right of every individual including the LGBT (lesbian, gay, bisexual, transgender) to express their choices in terms of sexual inclination without the fear of persecution or criminal prosecution.

No one can be discriminated against only on the grounds of their sexual orientation and called for constitutional protection to even sexual minorities.

Decriminalising homosexuality upholds universality of human rights.

Non-acceptance has been an issue for long and Section 377 fuelled it.

It not only has repercussions on the development of the community, it affects the economic growth of the country as well.

By building an inclusive nation, everyone can contribute to the GDP of the country.

There is an entire market that caters to their needs and, therefore, legalisation of homosexuality legalises that market too.

The 2017 Supreme Court verdict on right to privacy highlights that the choice of one’s sexual orientation is an important part of his/her privacy.

The 2018 verdict on decriminalising homosexuality reaffirms the right to privacy, and thus, the right to choose one’s sexual orientation.
The incidence of rape and other crimes against women has increased sharply. The rate of conviction has gone down, giving rise to the apprehension that stricter provisions in the law have failed to make a difference. Faulty investigations or the failure of the criminal justice delivery system.

NCRB recorded a 12 per cent rise in the number of rapes in its latest data, for 2015-16.

In the United States, the sex offender registry is available to the public. The US's registry lets citizens search for sex offenders living near them.

In India, and countries such as the United Kingdom, Australia, Canada, Ireland, New Zealand, South Africa, and Trinidad & Tobago, the registry is available only to law enforcement agencies.

Since the criminals move on and commit crimes in a new area, keeping the registry updated is a challenge. Maintaining individual's privacy.

Concerns about the misuse of data. The process of categorising offenders. It might lead to people not reporting sexual offences, because most of them are by people known to the victims.

It may tarnish a person's life even if he is reformed after serving his legal sentence.

Organisations such as the Human Right Watch claim that it negates the concept of rehabilitation and perpetuates social stigma.

It is argued that public stigmatisation imposes excessive restrictions on housing choices, the freedom of movement and social life, which disincentivises offenders who wish to reform and thereby increase repeat offences.

The State must ensure that there is no overreach and misuse.

Centre must make the registry of convicted sexual offenders public.

Since 97% crime against women is caused by known people, the registry will allow women to decide whom to stay away from.

For any real change, proper implementation of laws and policies for the protection of women is needed.

India launched a national sex offenders' registry, which will have records of about 4.4 lakh people convicted of various sexual offences from 2005 onwards.

The registry will be maintained by the National Crime Records Bureau (NCRB).

The records will include the convict's name, address, fingerprints and photographs of convicted sexual offenders.

The demand for the registry has been a long-standing one.

The database will have details of offenders convicted under charges of rape, gang rape, POCSO and harassing women.

States like Kerala and Haryana set up their own sex offenders' registry, accessible to the public.

The national sex offenders' registry is available only to law enforcement agencies.

If a person has served time for a sexual crime, their record will be there in the registry.

The sex offenders' registry will store the data of those convicts classified as "low danger" to society for 15 years, and "moderate danger" to society for 25 years.

Habitual offenders, violent criminals, those convicted in gangrape and custodial rape cases will figure permanently in the registry.

India joined eight other countries that maintain a registry of sex offenders.

The opening of the registry is timely because crimes such as rape, voyeurism, stalking and aggravated sexual assault are on the rise.

The latest National Crime Records Bureau data shows there has been a 12% rise in rapes between 2015 and 2016, and that the majority of offenders are known to the victim.

India has set up a registry of sex offenders to tackle this issue.

This is seen as an effort to make India safer for women and children.

In a situation like this, the sex offenders' list can definitely help the investigation and monitoring process.

The setting up of the sex offenders' registry is timely.

Nobel laureate Kailash Satyarthi had urged the government to push for a registry of sexual offenders, propagating the 'name and shame' approach in dealing with sexual predators.

The sex offenders' registry can be used to conduct background checks and police verification of prospective employees, tenants and so on.

It acts as a one-stop place to get their prior records.

It can help monitor the movement of sexual offenders to an extent.

It will help in enabling justice and monitoring an offender's future behaviour.

It will encourage more victims to come out and identify criminals.

The existence of such a registry will act as a deterrent to offenders.
Data has often been referred to as the new oil, an economic resource, which is fuelling the fourth industrial revolution.

Consumer habits can be studied and policies can be framed which would then be in line with the need of the hour.

Government needs data for better implementation of social programmes and statistics collection.

Cross-border data flows contributed $2.8 trillion to the global economy in 2014, which is expected to touch $11 trillion by 2025. Massive amounts of data generated by cities can be used to improve infrastructure and transport systems as Singapore has done.

Many countries have implemented or are in the process of implementing data localisation laws, including China, United States, Brazil, Indonesia and Russia.

Europe’s new data protection regime puts limits on cross-border data flows to countries that don’t have data protection laws.

The possible rise in prices of foreign cloud computing services in case of a data localisation, and its impact on MSMEs as well as start-ups relying on these services.

The possibility of triggering a vicious cycle of data localisation requirements by other countries as a response to India’s possible data localisation will be detrimental for the global data economy.

Growth will be restricted if data cannot be aggregated internationally.

Infrastructure in India for efficient data collection and management is lacking.

There is an urgent need to have an integrated, long-term strategy for policy creation for data localisation.

Data localisation needs to integrate a wide range of social, political and economic perspectives.

Creating an opportunity for local data centres all over the country.

Devising an optimal regulatory and legislative framework for data processors and data centres operating in the country.

Adequate infrastructure in terms of energy, real estate, and internet connectivity also needs to be made available for India to become a global hub for data centres.

Adequate attention needs to be given to the interests of India’s Information Technology Enabled Services (ITeS) and Business Process Outsourcing (BPO) industries, which are thriving on cross-border data flow.

Data needs to be shared with start-ups so that they can have a level playing field in offering innovative services with large and often global data companies.

If the 20th century brought Internet as a decentralised space, the 21st century is marked by battles over the control of data.

Data localisation or the collection, processing and storage of all data that originate within its own national boundaries is gaining momentum in India.

For securing citizen’s data, data privacy, data sovereignty, national security, and economic development of the country.

Recommendations by the RBI, the committee of experts led by Justice BN Srikrishna, the draft e-commerce policy and the draft report of the cloud policy panel show signs of data localisation.

The extensive data collection by technology companies, has allowed them to process and monetise Indian users’ data outside the country.

To curtail the perils of unregulated and arbitrary use of personal data.

Digital technologies like machine learning (ML), artificial intelligence (AI) and Internet of Things (IoT) can generate tremendous value out of various data.

It can turn disastrous if not contained within certain boundaries.

For maintaining law and order.

With the advent of cloud computing, Indian users’ data is outside the country’s boundaries, leading to a conflict of jurisdiction in case of any dispute.

Data centre industries are expected to benefit due to the data localisation.

It is also likely to help IT and telecom infrastructure players grow.

This is an opportunity for Indian technology companies to evolve an outlook from services to products.

International companies will also be looking at the Indian market, and this will benefit the growth of the local ecosystem.

More data centres in India could mean new, power-hungry customers for India’s renewable energy market. That means Data localisation could boost India’s renewable energy.

Countries with large populations are big markets and global companies are focusing of them.

Mining the data of citizens in these countries provides the extra edge for these companies to sell their products and services and improve their businesses.

This is what makes data in these countries valuable.

Many global companies operating in India like Amazon, Google, Facebook, IBM, etc. have announced building local data centres.
The increase would have to be on the capital side of the defence budget. Salaries, pensions and other operating expenses have full fund allocation with little scope to absorb extra funds.

Raising the defence capital expenditure would leave the government with very little money for infrastructure and asset creation. Already there is very little for education, health, police and public infrastructure. India needs to increase socio-economic expenditure manifold.

As most defence equipment is procured from foreign countries, an increased capital budget would increase the defence import bill and add to the current account deficit.

The existing allocation for defence for 2018-19 is 27% of the total tax revenue, which will shoot up to 38% if the allocation is raised to 3% of GDP. This will require either an increase in the current tax rates, or a widening of the tax base. Both are difficult to achieve in the short term. It will thus not be feasible to substantially augment government’s non-borrowing revenues.

India risks its national security with low allocations to defence spending. India is located in a dangerous neighbourhood and facing both internal and external threats.

The procedural delays prevent optimum and timely expenditure of resources allocated in the defence budget. Focus continues to remain on addressing existing revenue expenditure requirements rather than allocation of capital for acquisition of new equipment. The multiplicity of approvals and bureaucratic delays in obtaining the approvals act as a deterrent to the inflow of foreign investment.

A solution lies in fixing the current imbalance in the defence budget. Optimise the existing defence allocations, rather than seek a quantum jump in funds. The government needs to strengthen its planning mechanism.

The newly created Defence Planning Committee (DPC) must ensure drawing up of a holistic and integrated defence plan that takes into account the scarcity of resource as well as the genuine security needs of the country.

The issue of defence expenditure in India has been the subject of debate. The Seventh Schedule of the Constitution vests the Central Government with the responsibility of national defence.

The country is facing security threats not just from the borders with Pakistan and China, but also from the Indian Ocean Region. Transformation in defence production requires higher allocation.

It is estimated that India’s defence sector requires $130-150 billion for modernisation and restructuring in order to become self-reliant in the coming decade.

Promoting ‘Make in India’ in defence production require a proper infrastructure creation and that requires huge money. A low budget will act as a constraint for mega acquisition plans. Indian Army is in need of modern guns and ammunitions, combat vehicles and battle tanks. The Air Force is in urgent need of the latest fighter jets. The Navy is keen on new warships and nuclear submarines.

Defence projects worth around billions of dollars are not moving due to paucity of funds. India’s defence expenditure is at 1.49% of GDP, stated to be at its lowest ever. This is lower than what it was prior to the disastrous 1962 war with China. But 1.49% does not include defence pensions and Ministry of Defence spending.

If both are included, the total defence expenditure rises to 2.16% of GDP. Data for the past decade show this figure, too, has been falling — it was 2.78% in 2009-10. Large share of resources is going towards human resources costs, leaving very little for modernisation.

With OROP and the new Pay Commission, defence pensions alone have risen from around 18% of defence spending in 2013-14 to 27% in 2018-19. This increase has largely come at the cost of capital procurement.

Parliamentary Standing Committee on Defence recommended that expenditure on defence be increased to at least 3% of GDP. This will address the problems of national security and underline the government’s commitment towards the military.
India’s macro fundamentals are in a much better shape today than in 2013 – higher growth, stable inflation and fiscal commitment.

Contribution of the net exports to growth in the April to June quarter was stronger than expected.

Indian economy is recovering from the two transitory disruptions in recent years - the Goods and Services Tax (GST) and demonetisation.

Growth has been gradually accelerating in recent quarters, with strength in both consumption and investment, which have helped the economy.

India’s large and relatively stable domestic financing base limits external vulnerability.

India’s significant build-up of foreign exchange reserves in recent years provides a support buffer to help mitigate external vulnerability risk.

The rupee touched an all-time low of 72.91 against the US dollar on September 12.

The currencies of many of India’s trading partners, including those in the emerging markets, too have depreciated against the dollar.

India has been unsuccessful in finding sustainable domestic sources of energy to address the over-reliance on oil imports.

Global factors including rising interest rates in the US, high crude oil prices and its impact on emerging markets and the trade war between the US and China.

FPI outflows.

The current account deficit and net capital outflows influence the shortage of dollar liquidity, which result in rupee depreciation.

High import intensity in some key segments like petroleum and gems and jewellery.

Fall in the currencies of emerging market peers.

The US Federal Reserve’s rate hikes have made dollar assets give more returns.

The government announced a slew of measures to bring additional capital inflows of $8-10 billion to arrest rupee depreciation and address the underlying problem of high current account deficit.

The steps taken by the government include removal of withholding tax on Masala bonds, relaxation for foreign portfolio investments, curbs on non-essential imports and encourage exports.

This will help in addressing the country’s burgeoning current account deficit that hit a five-year high in July.

It will facilitate the inflow of dollars and de-risk the economy from fluctuations in the exchange rate.

Other steps such as permitting manufacturing sector entities to avail ECB up to $50 million with a minimum maturity of one year from the earlier period of three years.

These steps to strengthen the rupee in the short term are welcome, given the large-scale outflow of capital from emerging markets to the West.
PSBs are highly fragmented, especially in comparison with other key economies. The merger will enable the government to pay closer operational attention to the enlarged institution, as is the case with SBI.

To protect the financial system and depositors’ money.

To build capacity to meet credit demand and sustain economic growth.

The need to bridge geographical gaps.

In 1991 Narasimham Committee suggested that India should have fewer but stronger PSBs.

Integration of technology platforms and cultures of these organisations.

Aligning the distribution of professionals in the merged bank and handling of human resources.

As issues on seniority are structured and important in a public sector set-up, ensuring that there is harmony would be a challenge.

Rationalisation of physical infrastructure.

Dena Bank came under prompt corrective action of the RBI in May 2017 in view of high Net NPA and negative RoA (return on assets).

Bank of Baroda is the largest among the three and will take a hit on its asset quality.

The other challenge is customer retention which we saw in SBI’s recent merger with its associate banks.

For the banking system as a whole, things cannot change as the capital remains unchanged.

The quantum of Gross NPA (GNPA) cannot change and will still have to be addressed.

Mergers are not the panacea in the context of PSBs.

Without addressing the governance issues in the banks, merging two or three public sector banks may not change the architecture.

Unless there is a change in the operating structures, mergers may not deliver the desired results in the long run.

Giving the PSBs autonomy along with accountability.

Merged entity will require capital support from the government, otherwise such a merger would not improve their capitalisation profile.

The merger will yield the desired results if these banks rationalised their branches, looked to reduce costs and handled people issues well.

RBI should continue to give banking licences for more small finance banks as well as universal banks along with bank mergers.

The government recently announced the merging of Bank of Baroda, Vijaya Bank and Dena Bank.

Cleaning of the balance sheet and minimising NPA is the objective of the latest merger announced by the government.

The strategy which the government has adopted is merging one weak bank with its stronger counterparts.

In this case, the weaker bank is Mumbai-based Dena Bank.

For the first time, we are witnessing a merger of three PSBs which can be a precursor to other such moves.

The three banks involved consist of two strong and one Prompt Corrective Action (PCA) bank (Dena Bank).

It is seen as an attempt to revive a relatively weaker bank with two healthier ones.

While two banks criss-cross one another in geographical space, the third becomes strategically significant being based in the south.

The merger comes at a time when all PSBs are walking the thin edge negative profits.

The success of this merger, according to analysts, is crucial for future such attempts.

Capital will be higher when merged together and will give a feeling of a stronger bank.

Large banks with larger lending capacity.

It will provide efficiencies of scale and help improve the quality of corporate governance for the banks.

The merged entity will have a market share of about 6.8 per cent by loans, according to data as of March 2018, making it the third largest bank in the system, Moody’s said.

Improvement in operational efficiency.

Cost of funds for the merged entity is expected to come down.

Bigger banks can attract more Current Account, Savings Account (CASA) deposits.

Banks will have the capacity to raise resources without depending on the State exchequer.

Improve the capacity of the banking system to absorb shocks that the markets may cause to it.
BIMSTEC has functioned so far on the basis of the Bangkok Declaration of 1997, outcomes of the past three summits and the Leaders’ Retreat in 2016.

A Permanent Working Committee will be set up to provide direction during the period between two summits and also to prepare the Rules of Procedure.

Establishing a BIMSTEC Development Fund.

A push to increase BIMSTEC’s visibility and stature in the international fora.

Review, restructure and rationalise various sectors like connectivity, trade and investment, people-to-people contacts, security, and science and technology.

BIMSTEC acts like a priority organization for India to promote regional cooperation.

BIMSTEC is important for free trade agreement, poverty alleviation, tourism, energy and climate change, and even counter terrorism and disaster management.

BIMSTEC could allow India to push a constructive agenda to counter Chinese investments, and follow best practices for connectivity projects based on recognised international norms.

The members need to work collectively towards making BIMSTEC a stronger, more effective and result-oriented organisation for achieving a peaceful, prosperous and sustainable Bay of Bengal Region.

Leverage BIMSTEC as a bridge linking South and Southeast Asia.

Need to accelerate progress in the core areas of cooperation.

Need for firm commitment to work together for implementing the Agenda 2030 for sustainable development.

Need for timely holding of future Summits.

Member-states must commit significant resources to strengthen the organization.

Bimstec secretariat must be significantly empowered with more human and financial resources.

India will need to take on an informal Bimstec leadership role and let its commitments lead by example.

Bimstec will have to prioritize economic connectivity, which is the prerequisite for regional integration.

Now is the time not just to deliberate, but also to deliver. Now is the time to translate promises into performance.

The fourth BIMSTEC summit concluded in Kathmandu with signing and adoption of Kathmandu Declaration by all the seven members of BIMSTEC.

The theme of the fourth BIMSTEC summit - Towards a peaceful, prosperous and sustainable Bay of Bengal region.

BIMSTEC is a regional organization comprising of seven member states in South Asia and Southeast Asia lying in littoral and adjacent areas of Bay of Bengal.

Seven member countries include Bangladesh, Bhutan, India, Nepal, Sri Lanka, Myanmar and Thailand.

This sub-regional organisation came into being on June 6, 1997, through the Bangkok Declaration.

It is headquartered in Dhaka, Bangladesh.

The grouping accounts for 22 per cent of the global population, and has a combined GDP of USD 2.8 trillion.

Technological and economic cooperation among South Asian and Southeast Asian countries along the coast of the Bay of Bengal is its main objective of BIMSTEC.

A Memorandum of Understanding was signed on establishment of the BIMSTEC Grid Interconnection to enhance energy cooperation among the member states.

The MoU provides for optimisation of using energy resources in the region & promotion of efficient & secure operation of power system.

The summit agreed to develop a Buddhist tourist circuit and a temple tourist circuit, and connect ancient cities in the region.

This is a clear emphasis on deepening the common cultural values shared by the member states.

The summit articulated a vision for the Bay of Bengal Region heading towards a peaceful, prosperous and sustainable future.

The Kathmandu Declaration was issued at the end of the 4th BIMSTEC summit.

The Declaration aims to enhance effectiveness of BIMSTEC Secretariat by engaging it in various technical and economic activities in the region.

Describing terrorism as a ‘great threat’ to international peace and security BIMSTEC nations called for identifying and holding accountable States and non-State entities that encourage, support or finance terrorism.

It asked all nations to devise a comprehensive approach which include preventing financing of terrorists, blocking recruitment and cross-border movement of terrorists, countering radicalisation, countering misuse of internet for purposes of terrorism and dismantling terrorist safe havens.

The declaration called for strengthening cooperation and coordination among the law enforcement, intelligence and security agencies of the member states.

The declaration also underlined the importance of multi-dimensional connectivity as a key enabler to economic integration for shared prosperity.

Members decided to speed up efforts to conclude BIMSTEC Coastal Shipping Agreement and BIMSTEC Motor Vehicle Agreement as early as possible.

There is a need for a fair, just, rule-based, equitable and transparent international order.

Reaffirming faith in the multilateralism with the United Nations at the centre and the rule-based international trading system.

It recognised that eradication of poverty is the greatest regional challenge in realising development objectives.
The rise of China and its hegemonic tactics, especially in the South China Sea.
The world today is faced with an authoritarian coalition that doesn’t subscribe to the primacy of liberal values and democracy.
For promoting peace, prosperity and stability in the Indo-Pacific region.
Expanding fair and reciprocal trade would contribute to the prosperity of both nations.
Thus the world’s oldest democracy and the world’s largest democracy must come together to defend a rules-based liberal order.
The scheduling for the dialogue was marred by multiple postponements and a change in personnel on the US side.
The entire 2+2 Dialogue centred on the threat posed by China and the need to contain Chinese aggression.
Whereas Pakistan is the more immediate threat for India.
Pakistan’s threat to build new short-range nuclear capable weapon systems is again a real danger. None of this seems to fall within U.S. purview at present.
America’s current war on trade deficits and imposition of import duties hurt Indian business.
American sanctions on Iran, especially on the latter’s oil exports will cause inconvenience to India.
India did not receive any assurance on waivers on steel and aluminum tariffs imposed by Washington.
No public statement was made on what the U.S. will do on India’s investment in the Chabahar port once its full sanctions on Iran kick in.
Our tilt towards the U.S. is also taking place at a time when the world sees the U.S. as a ‘declining power’.
Any counter moves by Russia, such as seeking out Pakistan as an outlet for its defence items, will not be to India’s benefit.
While India can play a crucial role in America’s Indo-Pacific strategy, the US can help India stand up to China’s assertiveness.
In the present geopolitical situation, India and US can be the two pillars of a rules-based world order.
Both sides must work together towards entry of India in the Nuclear Suppliers Group (NSG).
New Delhi must work with Washington in the next few months to ensure that the benefits from the 2+2 dialogue don’t add up only on the other side.
India, on its way to become a global power, will likely have to follow a zigzag course, balancing between American demands, long-term friendship with Russia and its own strategic necessities in the neighbourhood and beyond.

The first 2+2 Dialogue between India and the US was held recently in New Delhi.
It is also the 10th anniversary of India receiving a waiver from the full-scope safeguards condition of the Nuclear Suppliers Group (NSG).
The NSG waiver and the subsequent India-US nuclear deal were the most important milestones in the transformation of this bilateral relationship.
The 2+2 dialogue is another significant step.
2+2 Dialogue between India and US was agreed during visit of Prime Minister Narendra Modi to US in June, 2017.
It is similar to India-Japan 2+2 dialogue format between foreign and defence secretaries and ministers of the two countries.
It replaces earlier India-US Strategic and Commercial Dialogue.
The dialogue is aimed at enhancing strategic coordination between both countries and maintaining peace and stability in Indo-Pacific region.
It puts strategic, defence and security relationship between two countries at forefront and centre stage.
The 2+2 Dialogue was marked by greater convergence on strategic and security issues.
Comcasa (Communications Compatibility and Security Arrangement) foundational agreement that gives India access to encrypted American technologies was signed.
Setting up of a hotline between External Affairs Minister and Defence Minister with their American counterparts.
The two nations also decided to conduct a tri-services joint exercise off the eastern coast of India in 2019.
The joint statement mentioned that of working towards a “free and open” Indo-Pacific.
This reflects the growing importance of Indo-Pacific region for both the nations.
Both nations reiterated their shared principles for the region and agreed to start exchanges between U.S. Naval Forces Central Command (NAVCENT) and the Indian Navy in order to deepen maritime cooperation in the western Indian Ocean.
Signing of COMCASA will enable India to access advanced technologies from the US.
It would enhance India’s defence capability and preparedness.
COMCASA will provide a legal framework for the transfer of communication security equipment from the US to India.
This would facilitate “interoperability” between the forces — and potentially with other militaries that use US-origin systems for secured data links.
It will also allow the installation of high-security US communication equipment on defence platforms being sourced from the US.
Experts say that it could also reduce the chances of the US imposing sanctions on India for looking to buy Russian S-400 surface-to-air missile systems.
Environmental decision-making processes for development projects are supposed to use the best available scientific knowledge to ensure that development does not lead to negative impacts. But there are compromised decision-making on development and infrastructure projects.

Sometimes the EIA reports lack the expected degrees of honesty, owing to bias, corruption, exaggeration and wrong claims.

EIA reports for the approved “redevelopment” projects in Delhi were prepared by copying from copyrighted papers, webpages and other EIA reports.

There are many instances of missing or misleading information which understate the potential impact of the projects.

Many projects are approved without public consultation.

Lack of awareness among the local people about the process of EIA, its significance for them, their own rights and responsibilities.

Most of the time EIA reports are unavailable in local languages, thus local people are unable to decipher the reports, and are misled by the proponents.

Expert Appraisal Committees (EAC) is dominated by ex-bureaucrats and institutional experts rather than eminent environmentalists.

Very little importance is given to socio-economic issues, including those related to gender.

In the end, it is citizens who have to bear the brunt.

An EIA should not be used just as a means for obtaining an environmental clearance; rather, project proponents should use it as a management tool to assess the soundness of a project plan.

The focus of EIA needs to shift from utilization and exploitation of natural resources to conservation of natural resources.

Competent authorities must ensure that a project causes minimal adverse environmental impact and generates maximum social and economic benefits.

Involving affected people and concerned citizens in environmental decision-making has far reaching effects.

It allows for democratising environmental governance.

Participatory processes give opportunities to understand and plan for unforeseen effects.

In 2009, the Delhi High Court in Utkarsh Mandal v Union of India upheld that it is the duty of the EACs to consider the merits of the objections raised at the public hearings.

Women and other vulnerable sections of the society are the first and most affected by consequences of developmental processes and damage to the environment.

Adverse impacts of development projects can be reduced with the full and equal participation of both genders, particularly women in decision-making processes.

NGOs, civil society groups and local communities need to build their capacities to use the EIA notification towards better decision making on projects.

Environmental Impact Assessment (EIA) is an important management tool for ensuring optimal use of natural resources for sustainable development.

It covers developmental sectors such as industries, thermal power projects, mining schemes etc.

EIA has now been made mandatory under the Environmental (Protection Act, 1986) for 29 categories of developmental activities involving investments of Rs. 50 crores and above.

The EIA process finds its origin from United States where due to huge public pressure, the government enacted National Environmental Policy Act (NEPA) in 1970s.

The role of EIA process was formally recognized at the Earth Summit in Rio Conference in 1992.

The Rio declaration stated that EIA shall be taken as national instrument for proposed projects which might adversely impact the environment.

EIA reports are a critical component of India’s environmental decision-making process.

It acts as a detailed study of the potential impacts of proposed projects.

It helps in predicting environmental impacts at an early stage in project planning and design.

Based on these reports, the Environment Ministry or other relevant regulatory bodies may or may not grant approval to a project.

The EIA reports are also important to define measures that the project could take in order to contain or offset project impacts.

EIA-based approvals for most projects also involve the process of conducting public hearings, so that those who are likely to be affected can be taken on board before approving the project.

EIA links environment with development. The goal is to ensure environmentally safe and sustainable development.