



# INSIGHTSIAS

SIMPLIFYING IAS EXAM PREPARATION

**INSIGHTS** into EDITORIAL

DECEMBER 2019

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# INSIGHTS into EDITORIAL

## POLITY & GOVERNANCE

### 1. WHAT CONNECTS THE NPR, NRIC AND CENSUS?

#### In News:

- As protests spread all across the country against the Citizenship (Amendment) Act (CAA), 2019 and the proposed **National Register of Indian Citizens (NRIC)**, West Bengal and Kerala suspended work related to the preparation and update of the **National Population Register (NPR)** in their respective States.
- The NPR, a register of residents of the country with demographic and biometric details, was supposed to be prepared between April 2020 and September 2020 ahead of the **Census slated for 2021**.
- Preliminary work on the NPR has begun in several States. In Bengal, civil rights activists had been protesting against the compilation of the NPR alleging that it had nothing to do with the Census, but the “first step to initiate the National Register of Citizens” in the State.
- According to **Section 14A of the Citizenship Act, 1955** (which was inserted in 2004), the Central Government may compulsorily register every citizen of India and **issue a national identity card to him**; and it may maintain a National Register of Indian Citizens.

#### The numbers game

The Cabinet approved over **₹3,941.35 crore** for updating the NPR and **₹8,754.23 crore** for conducting the Census of India



2020 in all States and UTs, except Assam

- Details under 14 categories would be collected through door-to-door enumeration, along with the Census
- The objective of the NPR is to create a comprehensive identity database of every usual resident (who has been living at a particular place for the past six months). The database would contain demographic as well as biometric particulars
- Though the government said the NPR and the National Register of Citizens (NRC) are not linked, the Citizenship Rules, 2003, state that the Centre can decide a date to prepare the NPR
- The data for NPR was collected in 2010, along with the house-listing phase of the Census of India, 2011
- This data was updated in 2015 through a door-to-door survey, and its digitisation has also been carried out
- It was decided to update the NPR, along with the house-listing phase of Census 2021, during April to September

#### Context:

- The Union Cabinet approved a proposal to **conduct Census 2021** and update the **National Population Register (NPR)**.
- While the Census will be conducted in 2021, the NPR update will take place from April to September 2020 in all the States/UTs except Assam.
- According to the sources, the Union Cabinet has approved a proposal of the Home Ministry to spend Rs 8,754 crore for the Census 2021 and Rs 3,941 crore for updating the NPR.

#### Documents required that would help establish citizenship:

- The government is yet to notify a **date for generation of the NRIC**.
- It has not yet prescribed rules for the sort of documentary proof that would be required to prove citizenship.
- The government says any document that shows date of birth or place of birth, or both, will be sufficient.
- And that common documents will be accepted, and those unable to produce documents may produce witnesses or other proof supported by members of the community.

#### What is the National Population Register (NPR)?

- The **NPR is a database** containing a **list of all usual residents** of the country. Its objective is to have a **comprehensive identity database** of people residing in the country.
- It is generated through house-to-house enumeration during the “house-listing” phase of the census, which is **held once in 10 years**.
- The last census was in 2011, and the next will be **done in 2021** (and will be conducted through a mobile phone application, according to the Home Ministry).
- A usual resident for the purposes of NPR is a person who has resided in a place for six months or more, and intends to reside there for another six months or more
- The census involves a detailed questionnaire — there were 29 items to be filled up in the 2011 census — aimed at eliciting the particulars of every person, including age, sex, marital status, children, occupation,

birthplace, mother tongue, religion, disability and whether they belonged to any Scheduled Caste or Scheduled Tribe.

- On the other hand, the **NPR collects basic demographic data and biometric particulars**.
- Once the basic details of the head of the family are taken by the enumerator, an acknowledgement slip will be issued. This slip may be required for enrolment in NPR, whenever that process begins.
- And, once the **details are recorded in every local** (village or ward), sub-district (tehsil or taluk), district and State level, there will be a **population register at each of these levels**. Together, they constitute the National Population Register.

#### What is the legal basis for the NPR?

- While the **census is legally backed by the Census Act, 1948**, the NPR is a mechanism outlined in a set of rules framed under the Citizenship Act, 1955.
- **Section 14A** was inserted in the Citizenship Act, 1955, in 2004, providing for the compulsory registration of every citizen of India and **the issue of a “national identity card”** to him or her.
- It also said the Central government may maintain a **“National Register of Indian Citizens”**.
- The Registrar General India shall act as the “National Registration Authority” (and will function as the Registrar General of Citizen Registration). Incidentally, the Registrar General is also the country’s Census Commissioner.
- **The NPR is the first step towards establishing the NRIC.**

#### Is there any link between the NPR and Aadhaar?

- **Better targeting and delivery of benefits and services** under the government was one of the early objectives of the NPR.
- During the early days of the NPR enrolment, the Unique Identification Authority of India (UIDAI) scheme for issuance of Aadhaar numbers was also concurrently on.
- There was a conflict between the Union Home Ministry, which administers the NPR, and UIDAI, leaving the impression that there was **duplication of work**, as both involved gathering personal particulars, including biometric data.
- Ultimately, they agreed that both databases will exist with different objectives, and that each will use the other’s biometric data. Those **already enrolled for Aadhaar need not give their biometric details again during NPR**.
- At the same time, data captured for NPR would be sent to **UIDAI for “de-duplication”**. In case of discrepancy between Aadhaar and NPR data, the latter would prevail.
- The present regime decided to update the NPR originally created after the 2011 Census.

#### What is the relationship between the NPR and the Citizenship (Amendment) Act?

- There is no direct link. But remarks by the Home Minister that the CAA would be followed by the NRC has **given rise to fears** that when people are excluded from the final citizenship register, the CAA may help non-Muslims take the CAA route to apply for citizenship, and leave Muslims with no option. However, the government seeks to allay these fears.
- Legally, the states have no say in **implementing or ruling out NPR**. However, given that the manpower is drawn from the states, the defiance could potentially result in a showdown.

#### Conclusion:

- The objective of the NPR is to create a **comprehensive identity database** of every **“usual resident” in the country**.
- While there are concerns **about privacy**, the government position is based on two grounds.
- One is that every country must have a **comprehensive identity database** of its residents with demographic details.
- In its statement issued after Cabinet approval to NPR, the Home Ministry said the objective of conducting NPR is to **“prepare a credible register of every family and individual”** living in the country apart from **“strengthening security”** and **“improvement in targeting of beneficiaries** under various Central government schemes”.

## 2. A DUTY TO PUBLISH: ON RTI

### Context:

- Chief Justice of India said the **unbridled use** of the Right to Information (RTI) Act had created a **sense of “paralysis and fear”** in the government.
- CJI said time had come to lay down **guidelines on the use of the RTI**. Guidelines should be put in place to **check the locus of the RTI applicant** and put a “filter” on the kind of requests made under the 2005 Act.
- The Right to Information Act was made to achieve **social justice, transparency and to make accountable government** but this act has not achieved its full objectives due to some impediments created due to **systematic failures**.

### RTI applications increase by 11%, says CIC report:

- **Steep increase** in the **number of applications** under Right to Information (RTI) has been registered during reporting year 2018-19.
- As per the annual report of the Central Information Commission (CIC) in the Parliament, Ministry of Tribal Affairs and Ministry of Home Affairs rejected the maximum number of RTI queries.
- As per the annual report tabled in Parliament by the ministry during the reporting year 2018-19, **13.70 lakh RTI applications** were received by the registered Central Public Authorities (PAs).
- This is higher by 1,36,922 or **11 per cent** than what was reported during 2017-18.
- The highest percentage of RTI applications were rejected by Ministry of Tribal Affairs (26.54 per cent) and Ministry of Home Affairs (MHA) (16.41 per cent).
- At the end of the year the commission had **29,655 cases pending before it**.

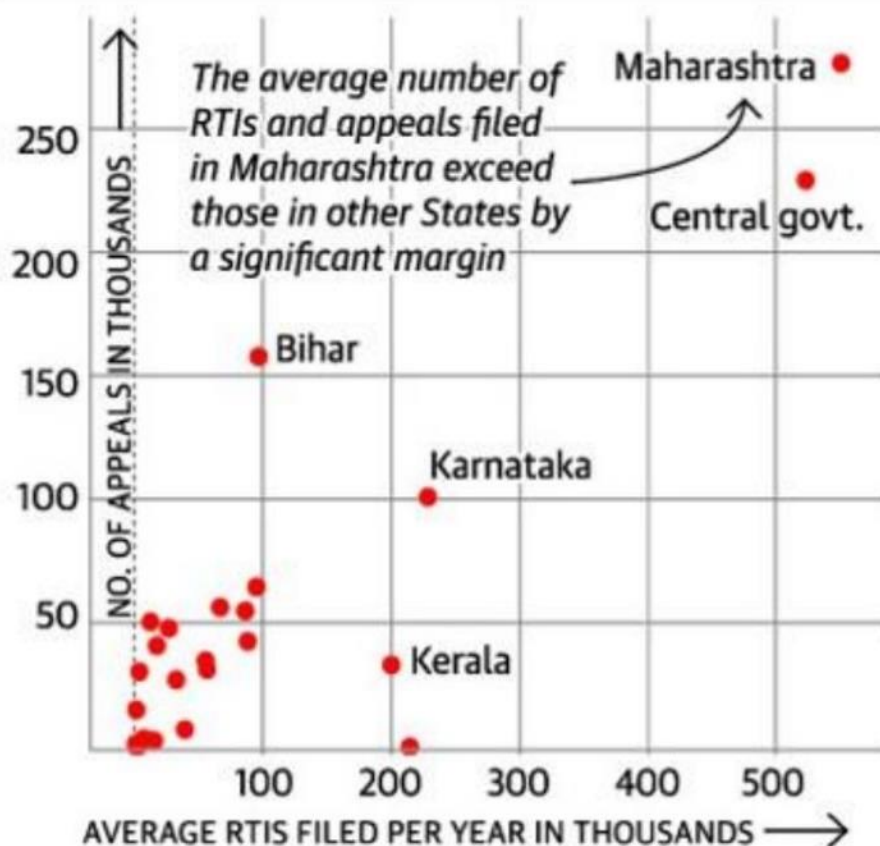
### Importance of RTI Act:

- Right to information opens up **government’s records to public scrutiny**, thereby arming citizens with a vital tool to inform them about what the government does and how effectively, thus making the **government more accountable**.
- The RTI Act, 2005 did **not create a new bureaucracy** for implementing the law. Instead, it tasked and mandated officials in every office to change their attitude and duty from one of secrecy to **one of sharing and openness**.
- It carefully and deliberately **empowered the Information Commission** to be the highest authority in the country with the mandate to order any office in the country to provide information as per the provisions of the Act. And it empowered the Commission to fine any official who did not follow the mandate.

### Section 4 of the RTI Act:

- Section 4 of the RTI Act requires **suo motu disclosure of information** by each public authority. However, such disclosures have remained less than satisfactory.

## Average number of RTI filed per Year



#### Section 4(2) of the RTI Act:

- Section 4(2) of the RTI Act mandates Governments to **maintain computerized records** and provide information **suo motu** (on their own accord) to the public, so that there is minimal need for filing RTI applications.
- But in reality, the Governments are not keeping as much information as possible in the public domain on their own accord (suo motu).
- As per a **recent NGO study** of the Central Information Commission in 2018, 70% of the original RTI applications are not required, provided the Government suo motu publishes the information in the public domain.
- **Persistent vacancies** in State and Central Information Commissions is another problem.
- The Supreme Court allowed the request and asked the Centre and States to expedite filling up of the vacancies. **Not filling up vacancies** on time has led to piling up of backlogs.

#### Section 6(2) of RTI Act: File RTI only if you are connected with the issue:

- An applicant making request for information **shall not be required** to give any reason for requesting the information.
- If the **locus standi** (one can only approach the public authority with a query, when he/she is affected) of applicants is **made a criteria**, the **rejection rate**, which has steadily **declined over time**, will rise significantly.
- The clause is kept because **seeking locus standi** in order to respond to public requests could **result in a chilling effect** (inhibition and discouragement of legitimate exercise), as public authorities could choose to deny information to general citizens on subjective grounds.

#### Disclose of data in public: A lifeline called Jan Soochna:

- The government of Rajasthan had launched Jan Soochna Portal (JSP), which is in concurrence with the **spirit of Right to Information Act (RTI)**. This virtually makes JSP a Janta Information System.
- JSP envisages **public disclosure of data**, which is the furtherance of civil society reforms initiated by the RTI, making it in **synergy with good governance**.
- The **portal aims** to provide information to the public about government authorities and departments empowering them **with access to useful information**.
- **JSP integrates** data regarding the employment guarantee programme, sanitation, the public distribution system among others, by not only explaining the schemes but also **providing real-time information** on beneficiaries, authorities in charge, progress, etc.

#### Conclusion:

- **Transparency must be accompanied by accountability**, and that is where the JSP has great value and significance since it places the power of making the State government accountable to everyone who accesses the information made available on the portal.
- The Right to Information Act's role in **fostering a more informed citizenry** and an **accountable** government has never been in doubt ever since its implementation in 2005.
- JSP a milestone in **increasing transparency and accountability in governance**.
- Rather than focusing on locus standi, public authorities would be advised to provide for **greater voluntary dissemination on Government portals**. Government should also take steps for filling up various vacancies.

### 3. THE DISTINCT CRY OF AN IMPERILED FRONTIER

#### Context:

- The outburst against the **Citizenship Amendment Bill**, or CAB, (now an Act, or CAA) in the Northeast has left many outside the region confounded.
- Tensions remain high after protests against Citizenship (Amendment) Act turned violent in New Delhi, with police using tear gas to disperse crowds.
- The **protests against the amended Citizenship Act** have led to violent clashes at many places including the Jamia Millia Islamia University in Delhi and Aligarh Muslim University in Uttar Pradesh.
- Police actions in the Jamia and AMU campuses led to more protests in other universities and places in Uttar Pradesh, Telangana, West Bengal, and Bihar.

- Unlike the objections to the CAA everywhere else in the country which is about the discriminatory and seeming Islam-phobia attributes of the new law that they are bewildered that in the Northeast, **CAB is seen as a threat to survival.**
- This inability of those outside the Northeast to see what the Northeast sees betrays to an extent an **ignorance and an insensitivity** to a stark reality small marginalised communities there face.

## CITIZENSHIP ACT & AMENDMENT

A LOOK AT WHAT THE BILL AIMS TO DO IN VIEW OF THE ACT, AND THE RESPONSE IT RECEIVED

### FOR SELECT FEW

Citizenship Amendment Bill seeks to amend the Citizenship Act 1955 in order to make illegal migrants — Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan — eligible for citizenship after six years of stay in India instead of 12 even if they don't possess proper document.

### CHANGE IN ELIGIBILITY

Under the Citizenship Act, the applicant must have resided in India during the last 12 months, and for 11 of the last 14 years to get citizenship. The Bill relaxes this 11-year requirement to five years for persons belonging to the 6 religions and 3 countries. It also makes those who entered India till 2014 eligible.

### CRITICISM RECEIVED SO FAR

The Bill has come under severe criticism with critics saying that the Bill violates Clause 6 of the Assam Accord, which stipulates “constitutional, legislative and administrative safeguards” for the preserving the culture and identity of Assamese people. Critics have also said that the extensive exercise of updating the National Register of Citizens (NRC) will become null and void due to this exercise.

#### Arguments Against the Act:

- The **fundamental criticism** of the Act has been that it **specifically targets Muslims.**
- It will be difficult for the government to differentiate between **illegal migrants and those persecuted.**
- Critics argue that it is **violative of Article 14** of the Constitution (which guarantees the right to equality) and the **principle of secularism.**
- India has **several other refugees** that include Tamils from Sri Lanka and Hindu Rohingya from Myanmar. They are **not covered under the Act.**
- If the Act had **not specified the religion of the refugees** or the countries of origin, for instance, and offered fast-track citizenship to all persecuted refugees from neighbouring countries.
- It would have brought into its ambit **Rohingyas from Myanmar**, arguably the most persecuted people in the world today; **liberal Muslims** from Bangladesh, which at one point saw the murder of a number of dissentient bloggers, both Hindus and Muslims; and, **Ahmadiyahs, Shias**, and other minority Muslim sects from Pakistan.
- Despite exemption granted to some regions in the North-eastern states, the prospect of citizenship for massive numbers of **illegal Bangladeshi migrants** has triggered deep anxieties in the states.
- **Citizenship on the basis of religion:** The Bill amends the Citizenship Act, 1955, and for the first time, will grant citizenship on the basis of religion to non-Muslim communities from Afghanistan, Bangladesh and Pakistan, who entered India on or before December 31, 2014.

#### What has the UN said about the Citizenship Amendment Act?

- The UN human rights body said: “A **new law in India** which expedites citizenship for certain religious minorities has been **criticized by the UN human rights office** for being “**fundamentally discriminatory in nature.**”
- The Office of the High Commissioner for Human Rights (OHCHR) was quoted in the statement as saying, “Although India’s broader naturalization laws remain in place, these amendments will have a **discriminatory effect on people’s access to nationality**”.
- The legislation appears to undermine India’s commitment to equality before the law, something that is protected by the Constitution.
- While commenting on protecting persecuted groups, the OHCHR said that while it welcomes **protecting such groups**, it should be done through a “**robust**” **asylum system** that is **based on equality and non-discrimination**, “which applies to all people regardless of race, religion, national origin or other status.”

- **Exceptions to the present Act:** The provisions on citizenship for illegal migrants will **not apply to two categories** – states protected by the ‘Inner Line’, and areas covered under the Sixth Schedule of the Constitution.
- **Inner Line Permit (ILP):** This is a special permit that citizens from other parts of India require to enter a state protected by the ILP regime.
- Without an ILP granted by the state government, an Indian from another state cannot visit a state that is under the ILP regime.
- **Sixth Schedule:** The Sixth Schedule relates to special provisions in administration of certain **North-eastern states (Assam, Mizoram, Meghalaya and Tripura)**.
- It provides special powers for Autonomous District Councils (ADCs) in these states.

#### Points that supported the Act:

- After Independence, **not once but twice**, India conceded that the minorities in its neighbourhood is its responsibility.
- First, immediately **after Partition** and again during the **Indira-Mujib Pact in 1972** when India had agreed to absorb over 1.2 million refugees.
- It is a historical fact that on both occasions, it was only the Hindus, Sikhs, Buddhists and Christians who had come over to Indian side.
- This Bill will come as a big boon to all those people who have been **the victims of Partition** and the subsequent conversion of the three countries into **theocratic Islamic republics**.
- Citing partition between India and Pakistan on **religious lines in 1947**, the government has argued that **millions of citizens of undivided India** belonging to various faiths were staying in Pakistan and Bangladesh from 1947.
- The constitutions of **Pakistan, Afghanistan and Bangladesh** provide for a **specific state religion**.
- As a result, many persons belonging to Hindu, Sikh, Buddhist, Jain, Parsi and Christian communities have faced persecution on grounds of religion in those countries.
- Many such persons have fled to India to seek shelter and continued to stay in India even if their travel documents have expired or they have incomplete or no documents.

#### Language and survival:

- A closer look at the **UNESCO classification of endangered languages** will illuminate further the Northeast’s reaction to the CAA.
- If a **language is vulnerable** because of the small size of the number of speakers, it becomes more so if the language is spoken only in certain domains for instance at home, but not at schools and offices, etc.
- It becomes **definitely endangered** if parents speak the language and children only know the language but do **not speak it as mother tongue**.
- It becomes critically endangered if the grandparents’ generation speak the language, parents know it but do not use it, and children do not know it any more.
- The **protest against the amended Citizenship Act** has another dimension in Assam and other parts of the Northeast.
- The **protesters in Assam** have opposed the entire Citizenship Amendment Bill. They have called amendment to the Citizenship Act as **unwarranted** and the one that **threatens their social, economic and cultural identity**.
- **Extinct languages** are those languages which no longer have any speakers. In the UNESCO list, **several languages in the Northeast** have already become extinct; many **more are critically endangered**.
- As Ganesh N. Devy, cultural activist and the man behind the **People’s Linguistic Survey of India campaign**, has said, when a language dies, a world view dies with it.
- Under the circumstances, the response of the Northeast to the CAA, is not merely tribal xenophobia as many have portrayed it to be with patronising condescension, but a **desperate survival throe**.

#### Conclusion:

- The **current migration issue** is also a consequence of this bitter politics of antagonism of the past.
- Nobody is perfectly innocent or guilty in this sordid drama, and the way forward has to be on the path of truth and reconciliation that **Nelson Mandela showed**.
- At a time, when violence is rocking swathes of the country and India’s global stock as a **liberal democracy** is plummeting precisely on account of initiatives like the abrogation of Article 370 and the passage of the CAA.

- It would appear that conciliation would be the **best way forward to contain violence** and reassure those in need of reassurance, pending a determination by the Supreme Court on the constitutional validity of the Act.

#### 4. LOK SABHA PASSES CITIZENSHIP BILL AMIDST OPPOSITION OUTCRY

##### Context:

- The Lok Sabha passed the **Citizenship Amendment Bill (CAB)** that seeks to give **citizenship to refugees**.
- The purpose of this bill is to **give Indian citizenship** to illegal migrants of 6 communities (Hindu, Christian, Sikh, Jain, Buddhist, and Parsi) belong to Pakistan, Bangladesh, and Afghanistan.
- Many political parties are opposing this bill because the Muslim community is not included in these 6 communities.

##### Brief Background:

- The Citizen Amendment Bill was first placed in parliament in July 2016.
- The legislation cleared parliament's lower house, but it could not be enacted in the upper house, after violent anti-migrant protests in north eastern India.
- The protests were particularly vocal in Assam state, which in August saw two million residents left off a citizens' register. **Illegal migration from Bangladesh** has long been a concern in the state.
- The CAB is seen as being **linked to the register**, although it is not the same thing.
- The **National Register of Citizens (NRC)** is a list of people who can prove they came to the state by 24 March 1971, a day before neighbouring Bangladesh became an independent country.

##### What does the bill say?

- The CAB amends the 64-year-old Indian Citizenship law, which **currently prohibits illegal migrants** from becoming Indian citizens.
- It **defines illegal immigrants** as **foreigners** who enter India without a valid passport or travel documents, or stay beyond the permitted time. Illegal immigrants can be deported or jailed.
- The new bill also amends a provision which says a person must have lived in India or worked for the federal government for **at least 11 years before they can apply for citizenship**.

##### Eligibility for Citizenship:

- Central government says these minority groups have come **escaping persecution** in Muslim-majority nations.
- It applies to the people who were forced to **seek shelter in India** due to persecution on the ground of religion.
  - The **cut-off date was December 31, 2014**, which means the applicant should have entered India on or before that date.
  - Indian citizenship, under present law, is given either to those born in India or if they have resided in the country **for a minimum of 11 years**.
  - The Bill also proposes for **the cancellation of Overseas Citizen of India (OCI) registration** where the OCI card-holder has violated any provision of the Citizenship Act or any other law in force.

#### Ministry of External Affairs Government of India

Attributable to the Official Spokesperson :

"The Statement made by the USCIRF on the Citizenship (Amendment) Bill is neither accurate nor warranted. The Bill provides expedited consideration for Indian citizenship to persecuted religious minorities already in India from certain contiguous countries. It seeks to address their current difficulties and meet their basic human rights. Such an initiative should be welcomed, not criticized by those who are genuinely committed to religious freedom.

The CAB does not affect the existing avenues available to all communities interested in seeking citizenship from doing so. The recent record of granting such citizenship would bear out the Government of India's objectivity in that regard.

Neither the CAB nor the National Register of Citizens (NRC) process seeks to strip citizenship from any Indian citizen of any faith. Suggestions to that effect are motivated and unjustified. Every nation, including the United States, has the right to enumerate and validate its citizenry, and to exercise this prerogative through various policies.

The position articulated by USCIRF is not surprising given its past record. It is, however, regrettable that the body has chosen to be guided only by its prejudices and biases on a matter on which it clearly has little knowledge and no *locus standi*."

- However, the **logic is not consistent** the bill does not protect all religious minorities, nor does it apply to all neighbours.
- The problem is that the CAB wholly **violates the fundamental right to equality** under **Article 14** of the Constitution as it **discriminates** on the **basis of religion**, singling out certain religious denominations for inclusion while keeping out refugees belonging to the Muslim community.

#### Why this bill is opposed?

- Basically, this bill is opposed because it does **not give citizenship to illegal migrants of Muslim community** from these 3 countries.
- Another reason behind its criticism is that it violates the provisions of article 14 of the Indian Constitution.
- So, these were some provisions of the Citizenship Amendment Act, 2019 which gives Indian citizenship to illegal migrants of 3 countries.
- However, some people are arguing that **this amendment is a violation of Article 14 of the Constitution** as it opposes discrimination with anyone based only on caste, religion, sex, and place, etc.
- They will **only have to live or work in India** for six years to be eligible for citizenship by naturalisation, the process by which a non-citizen acquires the citizenship or nationality of that country.
- It also says people holding **Overseas Citizen of India (OCI) cards** – an immigration status **permitting a foreign citizen** of Indian origin to live and work in India indefinitely – can lose their status if they violate local laws for major and minor offences and violations.

#### Which areas are exempted from CAB?

- The **Sixth Schedule** of the Constitution, described in **Articles 244(2) and 275(1)**, relates to special provisions in administration of **Assam, Meghalaya, Tripura and Mizoram** and provides special powers for **Autonomous District Councils (ADCs)** in these states.
- ADCs have powers to enact laws in areas under their jurisdiction on a variety of subjects, with the **objective of ensuring development of tribal areas** and boosting self-governance by tribal communities.
- **Mizoram** is covered under the ILP regime in any case. Among the other three states that have areas protected under the **Sixth Schedule**, tribal-majority Meghalaya has **three ADCs** that cover practically the entire state, except for a small part of Shillong city.
- Assam has three ADCs and Tripura one, all with Sixth Schedule powers.

#### Conclusion:

- Union Home Minister said it was a **“historic Bill”** that sought to complete what the “Nehru-Liaquat pact could not do.”
- Taken together, the NRC and CAB have the **“potential of transforming India** into a majoritarian polity with gradations of citizenship rights”.
- Hopefully, the government will take the right decision after listening to all sections of the country.

## 5. BATTLING ANTI-MICROBIAL RESISTANCE

#### Context:

- In November, the world observed **Antibiotic Awareness Week**.
- India in its fight against the growing problem of resistance to antibiotics in disease-causing germs, the Indian government banned the manufacture, sale and **use of colistin in the poultry industry**.
- Colistin is considered the **last-resort medicine** to treat a person with **life-threatening infection**.
- The government’s move is among the numerous steps that will contribute to global efforts **to preserve and prolong the efficacy of antibiotics** and prevent the world from moving towards a **dark, post-antibiotic future**.

#### Effective medicines are becoming ineffective:

- Antibiotics have **saved millions of lives** till date.
- Unfortunately, they are now becoming ineffective as many infectious diseases have ceased to respond to antibiotics.
- Globally, **use of antibiotics in animals** is expected to **increase by 67% by 2030 from 2010 levels**. The resistance to antibiotics in germs is a **man-made disaster**.
- Irresponsible use of antibiotics is rampant in human health, animal health, fisheries, and agriculture.
- While in humans’ antibiotics are primarily used for treating patients, they are used as growth promoters in animals, often because they offer economic shortcuts that can replace hygienic practices.

- In their quest for survival and propagation, **common bugs develop a variety of mechanisms** to develop antimicrobial resistance (AMR).
- The **indiscriminate use of antibiotics** is the greatest driver in selection and propagation of resistant bugs. It has the potential to make fatal even minor infections.
- **Complex surgeries** such as organ transplantation and cardiac bypass might become difficult to undertake because of **untreatable infectious complications** that may result post-surgery.

**How Antibiotic Resistance (AMR) will evolve and spreads:**

- **Antibiotic Resistance (AMR)** occurs when bacteria develop the ability to defeat drugs which have been specifically designed to kill them.
- Infections caused by such resistant germs are very difficult and often impossible to treat and it can affect humans at all stages of life.
- AMR is occurring across the globe and is **severely affecting the treatment of infectious diseases**.
- Even though antimicrobial resistance is a natural process, the misuse of antibiotics in humans and animals is accelerating the process.
- A **large number of infections** such as tuberculosis, pneumonia and gonorrhoea are becoming very difficult to treat since the antibiotics used for their treatment are becoming less effective.

**India's NAP- National Action Plan to fight against AMR:**

- The World Health Organization is also coordinating a **global campaign "Handle with care"** to raise awareness and encourage best practices for antibiotic use.
- In India, the government has launched a **National Action Plan on Antimicrobial Resistance (NAP-AMR)** as well.

**NAP-AMR 2017 – 2021:**

- India's NAP- National Action Plan to **combat Antimicrobial Resistance** goes hand in hand with the World Health Organization's Global Action Plan (GAP) for AMR.

- The plan is **very comprehensive** and covers all the **five major objectives** listed in GAP along with one added objective to strengthen India's leadership on AMR.
- This plan aims to target all the human and non-human sectors affected by AMR.
- The target period to achieve these goals have been listed as short-term (ending within one year), medium-term (between one to three years) and long term (more than three years).

**Way Forward: A global movement**

- The magnitude of the problem in India **remains unknown**. Surveillance networks have been established in human health and animal health.

**CAUSES OF ANTIBIOTIC RESISTANCE**

**HANDLE ANTIBIOTICS WITH CARE**

Antibiotic resistance happens when bacteria change and become resistant to the antibiotics used to treat the infections they cause.

- Over-prescribing of antibiotics
- Patients not finishing their treatment
- Over-use of antibiotics in livestock and fish farming
- Poor infection control in hospitals and clinics
- Lack of hygiene and poor sanitation
- Lack of new antibiotics being developed

www.who.int/drugresistance  
#AntibioticResistance

World Health Organization

- The health of humans and animals falls in the **domain of State authorities**, and this **adds complexity** to the nationwide response.
- The FAO has assisted India in forging the **Indian Network for Fishery and Animals Antimicrobial Resistance** for the generation of reliable data on the magnitude of the problem and monitoring trends in response to control activities.
- **Implementation of India's NAP** needs to be accelerated.
- There needs to be some **demonstrable political intent** to thrash this issue out, reflected by equally **robust field level implementation** by multiple stake holders.
- It is critical to expand and sustain such surveillance networks.
- There is an urgent need to augment capacity for **regulatory mechanisms**, infection control practices and **diagnostics support**, availability and use of guidelines for therapy, biosecurity in animal rearing practices and understanding the **role of the environment** and the engagement of communities.
- For this, the world must launch a **global movement to contain AMR**.
- Putting people at the **centre of this fight** is important, especially if we need to ameliorate the social and economic contributors to contagion.

## 6. NATIONAL SHAME: ON GENDER SENSITISATION

### Recent Issue:

- The outrage expressed in Parliament over the **Hyderabad gangrape-murder** of a veterinary doctor must translate into actions that make a **tangible difference to women's safety**.
- Some MPs like Jaya Bachchan overshoot their ambit by **prescribing patently illegal punishments** like lynching and burning rapists alive.
- Based on the recommendations of J.S. Verma Committee, Criminal Law (Amendment) Act, 2013 was passed, by bringing in changes to the Indian Penal Code, CrPC 1973 and others.
- Key amendments were brought in to provide for death penalty for rape that led to the death of the victim or reduced the survivor to a persistent vegetative state.

### Reporting of Violence against Women:

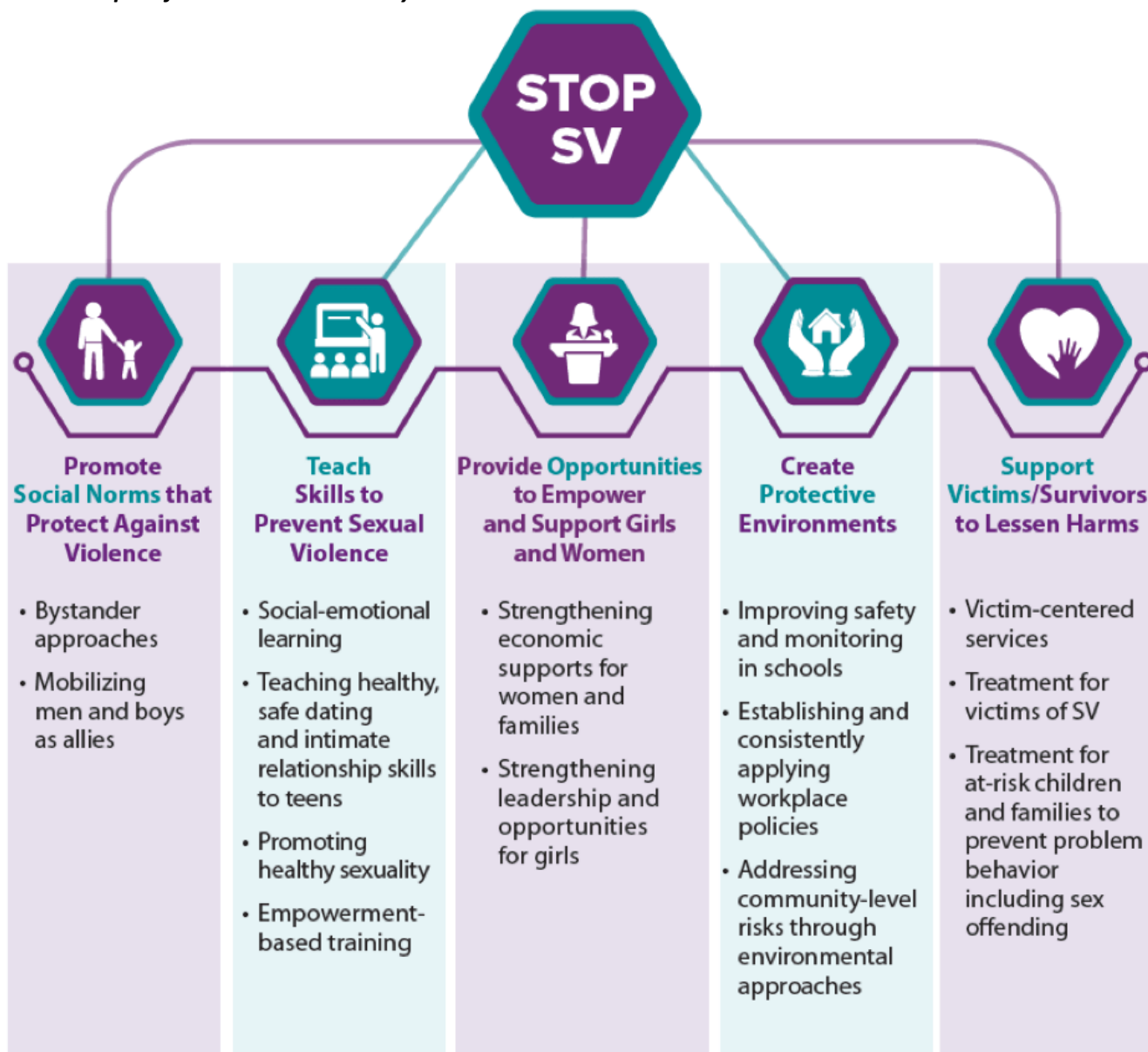
- According to **WHO estimates** less than 40 percent of the women who experience violence seek help of any sort.
- Among women who seek help, **tend to approach family and friends** and very few looks to formal institutions and mechanisms, such as police and health services.
- **Less than 10 percent** of those women seeking help for experience of violence sought help by appealing to the police.
- The **"latest" NCRB data for 2017** which indicates that in 86% of rape cases police file charge sheets but **trial courts** are able to dispose of **only 13%** of pending rape cases with a low conviction rate of only 32%. In child rape cases, the conviction rate is 34.2% and pendency is 82.1%.
- According to the data, **Uttar Pradesh** reported the highest number of crimes against women whereas **Madhya Pradesh** registered the highest number of rape cases in the country.
- Gender Disparity is one of the **deep rooted cause of violence against women** that put women at risk of several forms of violence.
- Violence in any form affects **not only physical, mental sexual and reproductive health of women** but also adversely affects their self esteem, ability to work and make decisions about fertility.
- Violence **obstructs participation of women** in development and planning programs both at micro and macro level.
- An insensitive, inefficient, corrupt and unaccountable judicial system and law enforcement machinery fails to deter against various forms of crimes.

### 'Panic Button' Features:

- A smartphone user can press the **'power' button thrice in quick succession**. User of a basic or feature phone can long press '5' or '9' on the keypad.
- In order to access an emergency service such as, police, medical and other services, a **user can dial "112" from any phone**. When a "Panic Button" is pressed, five calls will be made to emergency number "112".
- Call log details and the geo location of the victim will be sent by SMS and emails to Police Officials at the State, District and Local level.

**Society must be to Change to not to happen these incidents again:**

- Due to the **patriarchal mindsets**, for every rape reported, there are so many which go unrecorded.
- Men are more likely to **perpetrate violence** if they have low education, a history of child maltreatment, exposure to **domestic violence** against their mothers, **harmful use of alcohol**, unequal gender norms including attitudes accepting of violence, and a sense of entitlement over women.
- **National Family Health Survey-4** revealed that every third married woman had experienced physical and/or sexual violence, but only 1.5% had sought help from the police.
- **Proper quality education with high morals** should become the responsibility of the Government. Education from childhood should involve gender sensitization.
- Changes in school and college **syllabi to educate young people** on the **social values of equality and respect for women's autonomy** is needed.



**Way Forward to not to happen these incidents again:**

Remedying this dismal state of affairs requires:

- **Appointing more police officers**, prosecutors and judges and
- Improving the training and
- Resources available to these officials.

Certainty of punishment will have **greater deterrent effect** than extreme punishment in rare cases.

- Government must release **timely data about crimes** and the delays on the police and judicial side that increase pendency, discourage witnesses, and produce low conviction rates.
- Since December 2012, women have pressed hard for **safer streets and freedom of movement**.

- In the Hyderabad gangrape-murder, their voices have been heard louder. Spare us the outrage for political brownie points, produce better outcomes that keep women and girls safe.
- Promote **egalitarian gender norms** as part of life skills and comprehensive sexuality education curricula taught to young people.
- Government should think of **chemical castration of convicted rapist** before release from prison. At least 8 US states provide for chemical castration

#### Conclusion:

- Parents have responsibility in **proper upbringing of the male child**. Boys and girls should be raised right in an atmosphere of freedom and a **culture of mutual respect**.
- It is important to **enact and enforce legislation** and develop and implement policies that **promote gender equality** by ending discrimination against women in marriage, divorce and custody laws, inheritance laws and ownership of assets.
- The focus must be on what can be done, what is lacking currently, and constant efforts to measure outcomes. Otherwise this outrage too will pass without meaningful change achieved.
- There is a need of a **comprehensive and systematic research and analysis** on crime against women at Central, State, district and block level.
- Overall women safety related issues must be pre-empted.

## 7. NOT MANY LESSONS LEARNT FROM WATER PLANNING FAILURES

#### Introduction:

- Following the **massive water crisis across India** in the summer of 2019, the Central government hurriedly launched the **Jal Shakti Abhiyan (JSA)**, a **time-bound, mission-mode water conservation campaign** to be carried out in two phases, across the **255 districts having critical and over-exploited groundwater levels**.
- This campaign, however, was not intended to be a funding programme and did **not create any new intervention** on its own.
- It only aimed to make **water conservation a 'people's movement'** through ongoing schemes like the MGNREGA and other government programmes.



#### About Jal Shakti Abhiyan (JSA):

- Due to increasing water scarcity in **urban centres** like Chennai, and drought in many parts of central India, the Centre government has initiated the **Jal Shakti Abhiyan** as a **jan-andolan or people's movement** on water conservation.
- The JSA aims at making water conservation a **Jan Andolan** through asset creation and extensive communication. The nodal agency for Urban Renewal: **Ministry of Housing and Urban Affairs**

#### The JSA will run in two Phases:

- Phase 1 from 1st July to 15th September 2019 for all States and Union Territories
- Phase 2 from 1st October to 30th November 2019 for States and UTs receiving the retreating monsoon (Andhra Pradesh, Karnataka, Puducherry and Tamil Nadu).

### Realities of water crisis by various reports:

- As many as **600 million people** are already estimated to face “**high-to-extreme**” **water stress every year**.
- The **2030 Water Resources Group on “Charting Our Water Futures”** set up by the erstwhile Planning Commission in 2009 had projected that if the current demand pattern for water continues, by 2030, the available water will meet only about half of India’s demand for water.
- The **NITI Aayog** has projected that the **groundwater of 21 cities** will run out by 2020 (that is, next year) and the cities include Bengaluru, Delhi, Chennai and Hyderabad.
- The BBC in February 2018 listed **11 cities** most likely to run out of water. This list included Bengaluru.

### Inefficient Usage of Water for various activities:

- Water scarcity in India has come about not so much from insufficient supply as from the way in which we manage the water we have.
- **Agriculture uses 78 per cent of India’s water**, and uses it very inefficiently. About **two-thirds** of water used for irrigation comes from groundwater.
- **Huge electricity subsidies for farmers** to pump groundwater and the fact that groundwater is largely unregulated have led to a steady explosion in groundwater use through tube-wells for irrigation over the past several decades.
- **Access to treated tap water** is available to **only 62 per cent** of urban households (Census 2011).
- This leads to increasing but **unaccounted use of groundwater** by extensive digging of borewells to meet the demand deficit.
- **Urban India’s inefficiency in water** use arises from inadequate, old and dilapidated distribution networks, inefficient operations, inadequate metering, incomplete billing and collection, and a general state of poor governance.
- Another source of **inefficiency** comes from **not treating wastewater** and using the recycled water for specialised uses such as horticulture, and also for flushing toilets.
- **Under-pricing of urban water** also contributes to wasteful use. If something is under-priced, users will use more of it.

### Wastewater, a concern:

- While the focus remains on **creating or renovating structures for rainwater and wastewater harvesting**, one needs to put in place **policy measures** for regulated water use and saving measures, such as **water metering and pricing**.
- With access to piped water supply in households, water use is expected to increase in rural areas, leading to more wastewater generation.
- There is a **dire need for wastewater policy** both for urban and rural areas that promotes water use efficiency, recycling and reuse, while also **ensuring financial viability and sustainability of water utilities**.
- With respect to wastewater generation, the Centre Pollution Control Board estimates that of the total 135 litres per capita per day (LPCD) water supplied in urban areas, 85 LPCD is goes back in form of sewage, which could be reused if planned efficiently.

### Critical view points that need to be addressed for Jal Shakti Abhiyan (JSA):

- **Political and administrative boundaries** of districts rarely coincide with the hydrological boundaries or aquifer boundaries.
- Water planning should be **based on hydrological units**, namely river basins
- Contrary to this principle of water management, JSA was planned based on the boundary of the districts and to be carried out under the overall supervision of a bureaucrat.
- This resulted in the division of basins/aquifers into multiple units that followed multiple policies.
- **Groundwater recharge** may happen at the cost of surface water, especially so in water stressed basins like peninsular India.
- This is where **absence of autonomous and knowledge intensive river-basin** organisations is acutely felt.
- There is no data on basin-wise rainfall, no analysis of run-off and groundwater maps were rarely used.
- As a result, one never came to know, whether water harvested in a pond in a district was at the cost of water in the adjoining districts.
- **Most of the farm bunds** built with soil can collapse within one monsoon season due to the rains and/or trespassing by farm vehicles, animals and humans.
- There are **issues like** lack of proper engineering supervision of these structures.
- There is **involvement of multiple departments** with less or no coordination and limited funding under Mahatma Gandhi NERGA and other schemes.

## Conclusion:

- **Reshaping water governance** will require state governments and local governments to take coordinated action in a federal system.
- What is needed is a political compact between the Centre and states to jointly address the challenges of saving India's water, while actively **involving local governments** and engaging with the communities of water users.
- There are also not many efforts to dissuade farmers from **growing water-intensive crops** such as paddy, sugarcane, and banana, when it is widely known that **agriculture consumes 80% of freshwater**.
- Therefore, the JSA's move to reach out to poor people and farmers, asking them to 'save water', appears hypocritical, particularly when **district administrations** blatantly **allow the sewage generated** from towns and cities to pollute village water sources such as tanks, ponds and wells.
- The **aim and intent of JSA are noble**. But the assumptions are distorted. For example, it assumes that **common people in rural areas** are ignorant and prone to wasting water; on the contrary, they are the ones who first bear the brunt of any water crisis.

## 8. DISHA BILL: WHAT ARE THE HIGHLIGHTS OF ANDHRA PRADESH'S NEW LAW?

### Context:

- Andhra Pradesh Assembly passed the **Andhra Pradesh Disha Bill 2019 (Andhra Pradesh Criminal Law Amendment Act 2019)** to award **death sentences** to convicts in rape cases **within 21 days**.
- The Disha Bill provides for **awarding death sentence to criminals** found guilty of rape and gang rape and expediting trials in such cases within 21 days.
- the Andhra Pradesh cabinet had approved two bills for strengthening of the provisions relating to crimes against women and children.

### Background:

- The Andhra Pradesh Criminal Law (Amendment) Act 2019 has been drafted to speed up the **trial process for severe crimes** committed against women and children.
- Currently, there is a four-month trial period for such serious offences against women. The act reduces the period to just 21 days.
- Further, the current sentence for those convicted of sexual abuse on children is 3-5 years of jail term. The act has increased the punishment to a minimum of 10 years of jail term, which can be **extended to life imprisonment** depending on the severity of the case.

### National Crime Records Bureau (NCRB) 2017 report:

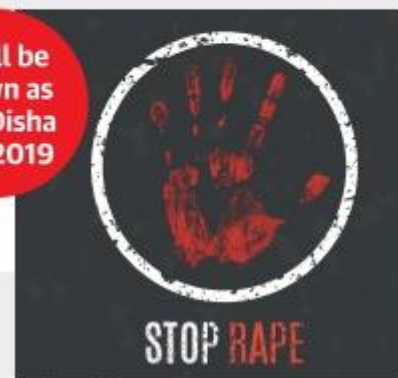
- **Crimes against women** constitute murder, rape, dowry death, suicide abetment, acid attack, cruelty against women and kidnapping.
- '**Cruelty by husband or his relatives**' accounts for 27.9 per cent of the crimes against women.
- A total of 3,59,849 cases were reported against women in 2017. (2016, 3.38 lakh, 3.2 lakh cases 2015) The number of cases reported has increased.
- **Uttar Pradesh** has again topped the list with 56,011 cases of crime against women, followed by **Maharashtra** with 31,979 cases and **West Bengal** at 30,002.
- 'Assault on women with intent to outrage her modesty' comprise 21.7 per cent, followed by 'kidnapping and abduction of women' with 20.5 per cent and 'rape' with 7.0 per cent of reported cases.

### Tackling crime

The key aspects of the A.P. Criminal Law (Amendment) Bill, 2019, which will be tabled in the ongoing winter session of the State Legislature

- **Death penalty** for heinous offences of **rape and gang-rape**
- Probe and trial will be completed in **7 and 14 working days** respectively
- Judgment time reduced to **21 days** from the existing **4 months**

It will be known as **A.P. Disha Act, 2019**



### Justice Delayed is Justice Denied:

- The AP Criminal Law (Amendment) Act 2019 or Andhra Pradesh Disha Act seeks to **amend the Code of Criminal Procedure** for 'heinous offences of rape' so that in the presence of 'adequate conclusive evidence', the investigation is completed **within seven working days**.
- The new law also says trial must be completed **within 14 working days**, thus reducing the total judgment time to 21 working days.

### Special Courts in each district:

- The cabinet also approved the Andhra Pradesh Special Court for Specified Offences Against Women and Children Act, 2019.
- It allows the establishment of **exclusive special courts in each district**, which will exclusively deal with crimes against women and children.
- These courts will take up cases of rape, gang rape, acid attacks, stalking, voyeurism, sexual harassment, and cases under Protection of Children from Sexual Offences (POCSO) Act.
- The cabinet has also approved the introduction of **Section 354E and 354F** of the Indian Penal Code to deal with cases of **online abuse and child sexual abuse, respectively**.
- In cases of harassment of women over email, social media or any other digital mode, as per the proposed bill, the first conviction can warrant a jail sentence up to 2 years, and the second and subsequent conviction can lead to imprisonment up to 4 years.
- In cases of child sexual abuse, the Andhra Pradesh Cabinet approved the decision to **increase terms of imprisonment** under POCSO Act (3 years minimum, 5 years maximum) to 5 years minimum and 7 years maximum.

### Punishment for harassment of women through social media:

- At present, no such provision exists in the Indian Penal Code. In the AP Disha Act, 2019, in cases of harassment of women through email, social media, digital mode or any other form, the **guilty shall be punishable with imprisonment**.
- The imprisonment will be for a term which may **extend to two years** on first conviction and with **imprisonment for a term** which may extend to four years on second and subsequent conviction.
- A new **Section 354E 'Harassment of Women'** is being added in Indian Penal Code, 1860.

### Constitution of special police teams and appointment of the special public prosecutor in special courts:

- There is **no such provision in existing laws**. In the Andhra Pradesh Disha Act, 2019, the government will constitute **special police teams at the district level** to be called **District Special Police Team** to be headed by DSP for investigation of offences related to women and children.
- The government will also **appoint a special public prosecutor** for each exclusive special court.

### Introducing women and children offenders registry:

- The government of India has launched a **National Registry of Sexual offenders** but the **database is not digitized** and is **not accessible to the public**.
- In the Andhra Pradesh Disha Act, 2019, the Andhra Pradesh government will establish, operate and maintain a register in electronic form, to be called the **'Women & Children Offenders Registry'**.
- This registry will be **made public** and will be available to law enforcement agencies.

### Conclusion: Huge losses due to gender-based violence

- The Deputy Secretary-General described rape as the "extreme manifestation of a continuum of violence against women and girls."
- Rape and other forms of **gender-based violence (GBV)** "inflict huge economic, political and social losses to individuals, households, and nation-states, and continue to be an obstacle to achieving equality, development, peace as well as to the **fulfillment of women and girls' human rights**".
- "The attainment of the **Sustainable Development Goals (SDGs)**, and its promise – to leave no one behind – cannot be fulfilled without putting an end to violence against women and girls."
- The **UN** is committed to supporting governments the world over, "including Nigeria, to **safeguard the rights of women and girls from violence**."
- The EU/UN Spotlight Initiative, **to End Gender-based Violence** which is being rolled out in a number of countries including Nigeria, is an important expression of the support of the international community.

## 9. UNFULFILLED PROMISE: ON PERSONAL DATA PROTECTION BILL

### Context:

- **India's Personal Data Protection Bill, 2019** starts encouragingly, seeking to protect "the **privacy of individuals** relating to their **personal data**". But by the end, it is clear it is not designed to deliver on the promise.
- It rightly requires **handlers of data** to abide by **globally-accepted rules** about getting an **individual's consent** first it disappointingly gives wide powers to the Government to dilute any of these provisions for its agencies.

### Brief Background:

- In August 2017, a nine-judge bench of the Supreme Court **declared privacy as a fundamental right of Indian citizens**.
- The Court also observed that '**informational privacy**', or the privacy of personal data and facts, is an **essential facet of the right to privacy**.
- The Personal Data Protection Bill, 2018, was prepared by a **high-level expert group** headed by former Supreme Court judge **B.N. Srikrishna**.
- It is the first step in developing a privacy framework to preserve the sanctity of "consent" in data sharing and penalize those breaching privacy norms.

### Personal Data Protection Bill, 2019 Features:

- **Sensitive personal data** can only be processed with the **explicit consent of the person** and this consent need to be informed, clear and specific. This data can only be sent abroad with **Data Protection Authority**
- The bill also **specifies penalties** for not following its provisions including a penalty of Rs. 5 crore or 2% of the turnover, whichever is higher, if no action is taken on a data leak.
- The government is **entitled to direct a fiduciary** (entity or individual who decides the means and purposes of processing data) to get access to non-personal data to provide better services to citizens.
- In certain circumstances, **processing of data** may be permitted without the consent of the individual.
- These include (i) any function of Parliament or state legislature (ii) compliance with any court judgement, (iii) to respond to a medical emergency, or a breakdown of public order, (iv) purposes related to employment, (v) for reasonable purposes specified by the DPA.
- In the interest of **national security**, certain government agencies can have access to personal data for any investigation pertaining to offences.
- There is also a provision for central Government **to notify critical personal data**, which will then be only processed in a server or data centre located in India.

### Points that need to be concerned:

- **Localisation of data** will likely make India an infeasible market for services that cannot offset the financial or logistical costs of localisation.
- It may prevent Indian start-ups or the services industry from **expanding globally**. Additional costs may be passed down to consumers for certain digital services.
- Recently, messaging platform **WhatsApp** said that some Indian journalists and rights activists were among those **spied using technology** by an Israeli company, which by its own admission only works for government agencies across the world.

## Decoding the data protection bill



### WHAT IT MEANS FOR CONSUMERS

- **DATA** can be processed or shared by any entity only after consent.
- **SAFEGUARDS**, including penalties, introduced to prevent misuse of personal data.
- **ALL** data to be categorized under three heads—general, sensitive and critical.



### THE GOVERNMENT & REGULATORY ROLE

- **GOVT** will have the power to obtain any user's non-personal data from companies.
- **THE** bill mandates that all financial and critical data has to be stored in India.
- **SENSITIVE** data has to be stored in India but can be processed outside with consent.



### WHAT COMPANIES HAVE TO DO

- **SOCIAL** media firms to formulate a voluntary verification process for users.
- **SHARING** data without consent will entail a fine of ₹15 crore or 4% of global turnover.
- **DATA** breach or inaction will entail a fine of ₹5 crore or 2% of global turnover.

Source: Mint research

- Google too had alerted 12,000 users, including 500 in India, regarding “**government-backed**” phishing attempts against them. The Indian Government has still not come out in the clear convincingly regarding these incidents.
- **Data Fiduciary:** The entity that collects and/or processes a data principal’s data. The relationship is trustee and beneficiary.
- The Bill states that **every data fiduciary** shall keep a ‘**servicing copy**’ of all personal and sensitive personal data in a **server in India**.
- **Significant Data Fiduciaries:** The Data Protection Authority labels certain entities as Significant Data Fiduciaries, depending on its **data processing**, such as volume of data, sensitivity of data, company turnover.
- The government may notify **certain ‘critical personal data’** which shall be processed only in servers located in India. However, the definitions of ‘servicing copy’ and ‘critical personal data’ are not provided.
- As per the bill, wherever the government finds it is necessary it can direct that all or any of the provisions of this Act shall **not apply to any agency** of the government in respect of the processing of such personal data.
- Above all, **localisation** might save Indian **data from foreign threats** but placing the servers on home soil **increases the risk of domestic threats** while also dealing with the **challenge of inadequate infrastructure**.

#### Road Ahead:

- **Personal data** collected, used, shared, disclosed or otherwise processed by companies incorporated under Indian law will be covered, irrespective of where it is **actually processed in India**.
- However, the data protection law may empower the Central Government to exempt such companies which only process the personal data of foreign nationals not present in India.
- The law will cover the **processing of personal data** by both public and private entities.
- **Sensitive personal data** will include passwords, financial data, health data, official identifier, sex life, sexual orientation, biometric and genetic data, and data that reveals transgender status, intersex status, caste, tribe, religious or political beliefs or affiliations of an individual.
- However, the DPA will be **given the residuary power** to notify further categories in accordance with the criteria set by law.
- **Cross border data transfers** of personal data, other than critical personal data, will be through model contract clauses.

#### Conclusion:

- The sweeping powers the Bill gives to the Government renders meaningless the gains from the **landmark K.S. Puttaswamy vs. Union of India case**, which culminated in the recognition that privacy is **intrinsic to life and liberty**, and therefore a basic right. That **idea of privacy** is certainly not reflected in the Bill in its current form.
- **Data protection, storing and sharing** are very important aspects as far as India’s voluminous data is concerned.
- **India’s draft e-commerce policy** and **B N Srikrishna committee report** is of prime importance for an aspirant. The pros and cons of data localization for the hugely populated country like India have to be studied in detail.
- In the era of huge mobile and internet users there should be a law, which takes care of all above aspects.

## 10. ATAL BHUJAL YOJANA — WHY A SCHEME FOR GROUNDWATER

#### Context:

- Prime Minister Narendra Modi launched **Atal Bhujal Yojana** on the occasion of 95th birth anniversary of former Prime Minister Atal Bihari Vajpayee. The Central Government has **allocated Rs. 6000 crores** for this scheme.
- According to government, the Atal Bhujal Yojana has been brought to deal with the **groundwater problem**.
- It will cost Rs 6000 crores rupees in 5 years. However Rs. 3000 crore will be given **by World Bank** and Rs 3000 crores to be spent by the government.

- The Government has selected **seven states** for this **scheme** according to the level of **groundwater exploitation** in these areas.
- The Government has also selected these areas due to **their institutional readiness**, degradation, **established legal and regulatory instruments**, and experience in implementing initiatives related to groundwater management.

#### How scarce is water in India?

- India accounts for **16-17% per cent of the world's population** living in less than **5 per cent of the global area**, and has just **4 per cent of the global water resources**.
- According to the Central Water Commission (CWC), the estimated water resources potential of the country, which occurs as natural runoff in the rivers, is 1,999 billion cubic metres.
- Of this, the estimated utilisable resources are 1,122 billion cubic metres per year 690 BCM per year surface water and 432 BCM per year replenishable groundwater.
- With the population rising, demand for water will increase manifold in coming years. According to the CWC, per capita availability in the country will decrease **from 1,434 cubic metres in 2025 to 1,219 cubic metres in 2050**.
- By CWC benchmarks, a water-stressed condition happens **when per capita availability is less than 1,700 cubic metres**, and a water-scarcity condition when per capita availability falls below 1,000 cubic metres. Some river basins are facing a water-scarcity condition.
- Among these are the basins of the Indus (up to the border), Krishna, Cauvery, Subarnarekha, Pennar, Mahi, Sabarmati and east-flowing rivers, and west-flowing rivers of Kutch and Saurashtra including Luni.

#### 'Water and Related Statistics 2019' report:

- According to '**Water and Related Statistics 2019**', a report **published by the CWC**, the annual replenishable groundwater resources in India (2017) are 432 BCM, out of which **393 BCM is the annual "extractable" groundwater** availability.
- **Fifteen states** account for about **90 per cent of the groundwater potential** in the country. Uttar Pradesh accounts for 16.2 per cent, followed by Madhya Pradesh (8.4%), Maharashtra (7.3%), Bihar (7.3%), West Bengal (6.8%), Assam (6.6%), Punjab (5.5%) and Gujarat (5.2%).
- The current annual groundwater extraction is 249 BCM, the largest user being the irrigation sector. This is why the government has called for alternatives to water-**intensive crops such as paddy and sugarcane**.
- Compared to the decadal average for 2009-18, there has been a **decline in the groundwater level in 61% of wells** monitored by the Central Ground Water Board (CGWB).
- Among the states where **at least 100 wells were monitored**, the highest depletion has been in Karnataka (80%), Maharashtra (75%), Uttar Pradesh (73%), Andhra Pradesh (73%), Punjab (69%).

#### About Atal Bhujal Yojana:

- This scheme has been launched with an **aim to raise the groundwater level** in those areas where it has significantly gone down.
- The objective of the scheme is to increase the level of groundwater. Also, this scheme has been brought by the central government **to provide benefits to the farmers**.
- The central government wants **to ensure adequate water storage** for farmers under this scheme.
- It has formed to benefit seven states – **Gujarat, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Rajasthan and Uttar Pradesh** with an aim to bring community-level groundwater management.

## Towards Sustainable Conservation of Water

Atal Bhujal Yojana Launched



Outlay of **Rs.6000 Crore** to be implemented over a period of **5 years (2020 – 25)**



Aims to improve **ground water management** through community participation in **7 States**



Will benefit nearly **8350 Gram Panchayats** in **78 districts** in these States



Will promote participatory **Groundwater** management & **contribute in farmer's** income

- This scheme is expected to benefit about **8350 Gram Panchayats in 78 districts** of these states.

#### Who Will Fund for the Atal Bhujal Yojana?

- As per reports, out of the total outlay of Atal Bhujal Yojana, **50 percent** will be in the **form of a World Bank loan** and be repaid by the Central Government.
- The remaining 50 percent will be through Central Assistance from regular budgetary support. The entire World Bank's loan component and Central Assistance will be passed on to the states as Grants.

#### Conclusion:

- Water scarcity is **most acute in the basins** of the Cauvery, Pennar, Sabarmati and east-flowing rivers, and west-flowing rivers of Kutch and Saurashtra including Luni.
- The focus will be on **arresting the rate of decline** of groundwater levels as well as water consumption.
- The scheme will seek to **strengthen the institutional framework** and bring about behavioural changes at **community level** for sustainable groundwater resource management. It envisages **community-led Water Security Plans**.
- The Atal Jal Yojana to **encourage Gram Panchayats** to perform better in water management.
- In the last 70 years **only 3 crore people** have got the **pipled water supply facility** out of 18 crore rural households.
- Now, the government has set a target to **provide clean drinking water facility** to 15 crore households in the next five years.

## ECONOMY

### 1. MAKING AIR INDIA'S DISINVESTMENT WORK

#### In News:

- The **once-iconic Air India** has, in the last four decades, witnessed a calamitous fall.
- The diminution had been gradual when it operated in a near-monopoly environment but the **pace of descent intensified** when it faced competition.
- In the late 1990s, the government recognised the **gradual decline in the airline's service standards** and referred it to the newly set up **Disinvestment Commission of India**, which **recommended dilution of government ownership to 40%**.
- Earlier, Finance Minister has announced that the government plans to wrap up sale of ailing Air India and Bharat Petroleum Corporation Limited (BPCL) **by March 2020**.
- The government has raised the disinvestment target for 2019-20 to Rs 1.05 lakh crore from Rs 90,000 crore in the interim budget presented in February.
- The government is **focused on divesting** the two state-run companies by the end of the financial year.
- This will form a crucial chunk of the government's plan to **raise Rs 1 lakh crore** in the current fiscal as India continues to tackle a steep demand slowdown.

#### Reason of Failure: Lack of strategic direction:

- Air India's precarious financial situation was first made public in June 2009.
- But the government, instead of tackling the core problem the **lack of a strategic and operational direction** within the airline decided to focus on a **financial package**.
- This was like applying a fresh coat of paint to a crumbling house. The bailout package of over Rs.30,000 crore, which is being infused **over an eight-year span ending 2021**, has **not helped Air India** evolve into a **robust carrier**.
- The reality is that the airline's survival depends on **several factors**, most notably the **induction of a professional management** with an **effective leadership**, a sound financial package that does not come

## New Avatar

↘ **Air India Specific Alternative Mechanism** will be headed by home minister Amit Shah

**Panel will also include FM Nirmala Sitharaman, commerce minister Piyush Goyal & civil aviation minister Hardeep Singh Puri**



**Last year, govt had invited EoI to sell 74% stake in AI but no investor turned up**

with political interference in its day-to-day operations, and unions allowing changes in work conditions and pay packages.

- In 2017, **NITI Aayog recommended disinvestment** but the government, in its wisdom, decided to not only retain 24% equity, it also wanted the acquirer to absorb a major chunk of the non-aircraft related debt.
- The simple logic that a proposal for sale has to suit the acquirer as much as the seller was conveniently overlooked and the offer found no takers.

#### **About Disinvestment:**

- Disinvestment, or divestment, refers to the **act of a business or government selling or liquidating an asset or subsidiary** or the process of dilution of a government's stake in a PSU (Public Sector Undertaking).
- The concept of disinvestment follows the dictum: The government has no business to be in business.
- Thus, the government continues to disinvest in sectors where private companies are already the dominant players.

#### **Govt to divest 100% stake in Air India:**

- The Centre has decided to **divest its entire stake in Air India Ltd** and its no-frill subsidiary Air India Express, a year after it failed to attract bids for a partial stake sale in the cash-strapped national carrier.
- **Air India Specific Alternative Mechanism (AISAM)** has approved the **100 percent sale** of Government of India's stake in Air India, along with Air India Express, and government's stake in AISATS for the **re-initiated strategic divestment of Air India**.
- The government owns 100% stake in Air India, and its subsidiary Air India Express.
- AISATS is a joint venture partnership between Air India and Singapore Airport Terminal Services (SATS) Limited, which provides ground and cargo handling services.

#### **Air India strength and Disinvestment process must be in simultaneous:**

- Besides playing to its strengths, the government ought to if it is sincere about making the exercise a success **ensure that it exits totally**, giving freedom to the **potential acquirer to transform it into a successful player**.
- The cost of further infusion of funds if the exercise is allowed to fail mustn't be overlooked.
- To evoke interest in a product that still commands a **sizeable market share** and has an **extensive global network** that no other Indian carrier can match, the **government also needs marketing skills**.
- It is time that divestment is not seen as an option to cover for **short-term fiscal gains**.
- Instead, it should be **part of a strategic plan** to improve the production of goods and services in India.

#### **Conclusion:**

- The government announced that they are moving on both Air India and Bharat Petroleum with the expectation that we can complete them this year. The **ground realities will play out**.
- One sincerely hopes that the disinvestment exercise this time is thought of **wisely, pursued with determination**, and is successful, because with it is linked the prospect of transforming Air India into a robust carrier that we all can justifiably be proud of once again.
- The stakes are high because failure will mean doom through further marginalisation.
- In view of current macroeconomic parameters, the government would not only **reinitiate the process of strategic disinvestment** of Air India, but would **offer more CPSEs for strategic participation** by the private sector.
- Had the disinvestment efforts succeeded, Air India would have today been a **professionally managed successful airline**.

## **2. SEED BILL MUST SERVE FARMERS, NOT MNCS**

#### **Context:**

- The **revised draft Seeds Bill 2019**, which the Ministry of Agriculture and Farmers' Welfare placed in the **public domain** recently for suggestions and comments, seems to be a watered-down version of a draft prepared.
- The Bill is aimed at **ensuring supply of modern, high quality, cutting edge seed technologies** to the farmers which will help them in enhancing their productivity and profitability. The Bill amends the Seed Act 1966 and Seed Rules 1968.
- It is evident that the seed industry has been at the centre of the **significant advances made in agriculture** in the last four decades and will continue to do in the years to come.

# Back With The Bill

Seeds Bill 2004 seeks to regulate seeds, plant material, increase private participation



Early passage of Bill important for doubling farmers' income, says govt official



**High-level meeting to discuss the Bill expected in March**



Three rounds of inter-ministerial talks already held

All ministries have agreed to major provisions and 5 amendments

Bill was put on hold in 2015 after protests an enabling provision for GM crops

## Brief Background:

- After the 'Green Revolution', India was quick to introduce the **Seed Act 1966** as the first act to govern matters of seed and seed quality.
- It was modelled on the US legislation and aided by a later enactment of the Seed Rules 1968, which were also developed with the collaboration of the US.
- The seed industry in India has been governed by several **legislative & policy frameworks** such as Seed Act (1966), Seed Rules (1968), Seed (Control) Order (1983), New Policy on Seed Development (1988), Plants, Fruits & Seeds (Regulation of Import into India) Order (1989), Protection of Plant Varieties and Farmers' Right Act (2001), and the Essential Commodities Act, 1955 including Seeds (1955), National Seed Policy (2002), and Seed Bill (2004).
- The **Seed Bill (2004)** was proposed to replace the Seed Act (1966), however, owing to several shortcomings it was not passed. The **2019 draft version** tries to overcome the **drawbacks of the 2004 Bill**.
- Seed is the expression of **diversity of traits and agroclimatic zones**, where varieties are bred by farmers and to which they are adapted.

## Draft Seeds Bill will discourage seed-tech firms:

- All varieties of seeds for sale have to be registered and are required to meet certain **prescribed minimum standards**.
  - For instance, for transgenic varieties of seeds, registration is to be obtained under the Environment (Protection) Act, 1986. This can bring **greater accountability to seed companies**.
- Farmers are allowed to sow, exchange or sell their farm seeds and planting material **without having to conform** to the prescribed minimum limits of germination, physical purity and genetic purity (as required by registered seeds). However, farmers cannot sell any seed under a brand name.
- Therefore, recommendation is that **exemption of export-oriented varieties** from registration has been made. This will **encourage custom production of seeds in India**.
- There must be a **system of accreditation** of national level research-based companies **with integrated facilities** for research, product testing, data analytics, seed production, seed quality control, seed processing, farmer extension and marketing.
- These companies **need to be given a national licence** that can be renewed at regular intervals based on fresh inspections and track record.

## New Seeds Bill to Revolutionize Indian Agriculture, Implementation Doubts:

- In the proposed Bill, there is a **differentiation between** the Seed Producer, Processor and the Seed Dealer for the purpose of licensing.

- However, there is **no recognition** of National Level Integrated Seed Companies with R&D capabilities, national-level variety evaluation system, seed production, testing and storage facilities etc.
  - It is pertinent to note that there are **several hundreds of seed producers** who **only obtain the breeder seeds** of the varieties developed by ICAR system, IARI or SAUs.
  - Whereas there are certain other companies who also have substantial facilities for **research and development** along with nationwide **new variety evaluation system** besides seed production, processing and testing infrastructure spread across several States.
  - There is a **need to recognize** the scale and size of the operations of the companies and devise regulation accordingly. Therefore, this new provision is being **proposed by NSAI**.
  - The **national-level integrated seed companies** may be registered centrally by the DACFW, MoAFW, Govt. of India and a central license may be given for **production, processing and marketing of registered seed**.
- To describe seeds, not according to traits and agroclimatic zones but as “**national seed**” if grown in more than one state and “**state seed**” if grown in one state, has no scientific basis.
- This is a commercial description to facilitate the marketing and the spread of unreliable and costly seeds from MNCs.
- For the farmer, the **redressal mechanism** has to be **simple, accessible and time bound**.
- The primary onus has to be taken by the State, to get justice for farmers in case of seed quality failures. **It cannot be left to individual farmers to fight it out as consumers in the market**
- The seed law must have the **twin objective** of regulating the supply of seeds for the benefit of the farmers and, at the same time, enable the **development of the seed industry**.

#### Conclusion:

- **Quality seeds are India’s lifeline**. Farming, food and the livelihood of over 60 per cent of the Indian population depend on them.
- A failed harvest has the potential to curtail our GDP and **force millions of Indians into poverty and hunger** until the next harvest. Overall, **India depends on seeds to sustain life**.
- The present government has a chance to **seed a unique and progressive Seed Bill** or plagiarize from others.
- We are sure our government will not let us down in their decision, and ensure their seed bill will **give plentiful harvests** for Indian farmers and industry.
- Ultimately, the **quality seed** will be available to the farmers at **competitive prices** subject to a vibrant growth of the seed industry in an enabling environment.
- **Healthy seed industry** will lead to **enhanced quality seed availability** at affordable prices to the farmers.

### 3. A STRATEGIC PAUSE: ON RBI HOLDING INTEREST RATE

#### Context:

- The **Reserve Bank of India (RBI)** released its **fifth bi-monthly monetary policy** statement for 2019-20 in which the Monetary Policy Committee (MPC), led by Governor Shaktikanta Das, decided to keep the **policy repo rate unchanged at 5.15%**.
- All **six members of the MPC**, three representing the RBI and three nominated by the government unanimously voted in favour of maintaining the status quo and not cutting repo rate.
- In 2019, the RBI has cut repo rate by 135 basis points so far to a nine-year low of 5.15%. Analysts were expecting another 25 basis points cut.

#### What was the challenge before the RBI?

- When it comes to monetary policy, the RBI’s **most important mandate** is to **maintain price stability**.
- To this end, the RBI is required by law **to maintain retail inflation** which is based on **Consumer Price Index (CPI)** at the 4% level (with a band of variation of 2 percentage point).
- But, another key concern for the RBI is the **overall economic growth in the economy**.
- Since, more often than not, retail inflation and economic growth tend to rise and fall at the same time because **higher growth implies higher demand for goods** and as such a spike in prices the RBI’s work is simple.
- However, at the current juncture in the Indian economy, **economic growth has decelerated sharply even as inflation has sped up**.

- **Retail inflation** rose to a 16-month high in October and breached the RBI's target level of 4% even as India's GDP growth decelerated for the sixth consecutive quarter to just 4.5% in Q2 (July to September), which is a new six-year low.
- So the challenge before the RBI is to **balance** the concerns of boosting growth while making sure that *inflation does not spiral out of control*.

## MINT GRAPHITI

# THE PLAY AFTER PAUSE

### FIVE THINGS TO WATCH

**UNION BUDGET:** Will it give the desired counter-cyclical push despite fiscal pressure?



**INVESTMENT REVIVAL:** Green shoots yet to take root as India Inc remains cautious.



**FOOD PRICES:** All eyes on whether the winter price spike remains seasonal.



**CREDIT OFFTAKE:** Lending hinges on improved transmission of rate cuts.

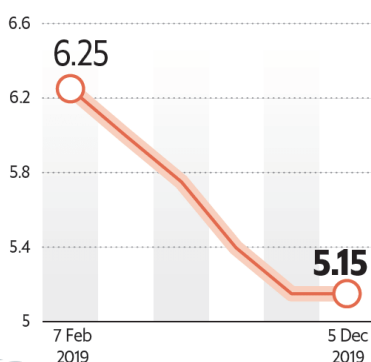


**GLOBAL HEADWINDS:** Oil prices a worry amid revival signs in the world economy.

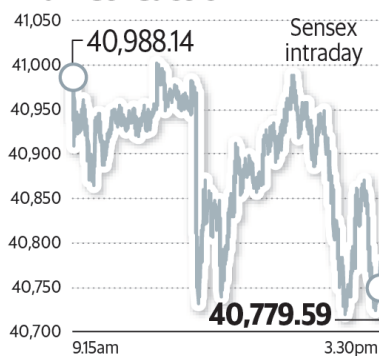


RBI cited near-term inflation risks for its decision to hold rates. Markets fell after the announcement and were choppy through the rest of the session.

### Repo rate (in %)



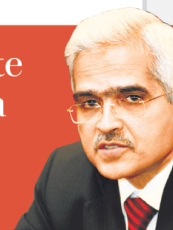
### Market reaction



Source: Bloomberg

There is a need to optimize the impact of rate cuts... We will evaluate developments with a readiness to act, if the situation so warrants.

**SHAKTIKANTA DAS**, governor of RBI



### World Bank says India still has long way to go on reforms:

- India jumped 14 places to **63rd** in the World Bank's latest rankings on ease of doing business, but **logistics costs** are still three times higher in India than in China and two times higher than in Bangladesh.
- With its 1.3 billion people, India is the **biggest consumer market in Asia** after China, yet businesses are overlooking India in favour of manufacturing powerhouses like Vietnam amid the trade war.
- **Rigid land and labour laws and protectionist trade policies** are hindering investment in India even though the government has made strides in improving the ease of doing business, according to the World Bank.
- Companies operating in India have **little flexibility in hiring and firing workers**, while acquiring land is not easy.
- What **inhibits** are restrictive regulations which affect its land, labour, logistics and also its policies which affect trade and goods and services.
- That's why the production that has relocated from China due to the trade war has not gravitated toward India.

### What is the RBI's forecast for economic growth and inflation?

- The news is not good on either variable.
- The RBI has dialled down the **economic growth forecast** for the current financial year by another full percentage point to 5%.
- The rapidity of **deceleration in economic growth** can be gauged by the fact that just between the past two policy review that is 4 months RBI has cut the growth forecast for the current financial from almost 7% to 5%.
- What's more, economic growth is **expected to stay below 6%** in the coming 12 months that is till September 2020.
- On inflation, the numbers have consistently gone up. From a **retail inflation forecast of just 3.6%** in the second half of the current financial year, the RBI has now raised the forecast to as **high as 5.1%**.

- However, in the first quarter of the next financial year, that is April to June, inflation is expected to moderate.

#### About Quantitative Easing:

- Quantitative easing is an **unconventional monetary policy** in which a central bank purchases government securities or other securities **from the market** in order to **increase the money supply** and encourage lending and investment.
- When **short-term interest rates** are at or approaching zero, normal open market operations, which target interest rates, are **no longer effective**, so instead a central bank can **target specified amounts of assets to purchase**.
- Quantitative easing **increases the money supply** by purchasing assets with newly created bank reserves in order to provide banks with more liquidity.

#### Quantitative Easing for India:

- According to some economists, the only medicine that can work is **quantitative easing, a remedy authority** isn't even discussing.
- QE, quantitative easing, may not cure the patient, but it may well succeed in bringing India's economy out of a coma.
- This kind of QE does have a couple of advantages. One, it **lowers the long-term government bond yield**.
- That reduces loan costs for risky borrowers, since government bond yields act as a benchmark.
- Two, a **more liquid banking system** with more low-yielding cash than higher-yielding bonds will be impatient to lend at least in theory.
- Yet this type of QE **relies on loans being made**. If the demand side of the economy is struggling, the impact may be limited because of the one thing it doesn't do: lift money supply in the broader economy.

#### Conclusion: Suggestions by experts:

- For India, it would help much more for the central bank **to buy government bonds from nonbanks**, following in the footsteps of the U.S. Federal Reserve, which **primarily purchased securities** from hedge funds, broker-dealers and insurance companies.
- Since nonbank sellers of bonds don't have accounts at the Reserve Bank of India, **they'll deposit any cash** they receive with commercial lenders.
- **Money supply would accelerate** even without new loans being made.
- If the RBI thinks of asset purchases as a way to further **reduce the price of money**, then it will want to wait until it has exhausted its conventional firepower by cutting the 5.15% policy rate further.
- Given the **primacy of food and fuel in India's inflation**, which is currently hovering at 4.6%, policymakers have some limited elbow room.
- But if the central bank views **asset purchases** as a way to influence the waning quantity of money, then it should act now. Doing so may well save the day.

## 4. INDIA'S FOOD BASKET MUST BE ENLARGED

#### Introduction:

- **India** is ranked **102 in the Global Hunger Index (GHI)** out of 117 qualified countries. With the increase in **prevalence of wasting** (low weight for height) among children **under five** contributing the most to the country's poor performance.
- Hunger is defined by caloric deprivation; protein hunger; hidden hunger by deficiency of micronutrients.
- **Nearly 47 million or four out of 10 children in India** do not meet their potential because of chronic **undernutrition or stunting**.
- This leads to diminished learning capacity, increased chronic diseases, low birth-weight infants from malnourished parents.
- The **global nutrition report** pegs 614 million women and more than half the women in India aged 15-49 as being anaemic.

#### Nutrition garden:

- Recently, the Ministry of Human Resources Development brought out school '**nutrition garden**' **guidelines** encouraging **eco-club students** to identify fruits and vegetables best **suited to topography, soil and climate**.

- These gardens can give students **lifelong social, numerical and presentation skills**, care for living organisms and **team work**, besides being used in the noon-meal scheme.
- Students also learn to cultivate fruits and vegetables in their homes and this could **address micronutrient deficiencies**.

#### All schools should set up kitchen gardens: Centre:

- All schools have been asked to set up a kitchen garden and instructions to this effect have been issued by the Centre to all the states and union territories.
- The Ministry of Human Resource Development (HRD) has issued guidelines for developing and **maintaining kitchen gardens in all schools**, both in urban and rural areas.
- As per the guidelines, **provision of seeds, saplings, organic manure, training and technical assistance** under the

scheme can be obtained by tying up with agencies like Krishi Vigyan Kendras, Department of Agriculture/Horticulture, Food and Nutrition Board, state agriculture universities and forest department.

- Moreover, activities like construction of boundary wall and levelling of land for the kitchen garden can be **taken up under the MGNREGA scheme**.
- The exercise is aimed **at improving nutrition in schools**, inculcating habits among children in an era of rapid urbanization and mounting environmental issues.
- It also seeks to develop among children the skill of growing own vegetables and fruits in schools and homes.
- The guidelines lay emphasis on a perception that kitchen garden which is being referred to as a **school nutrition garden** can be set up anywhere, even in a school in a crowded urban area.

#### Agrobiodiversity Challenges:

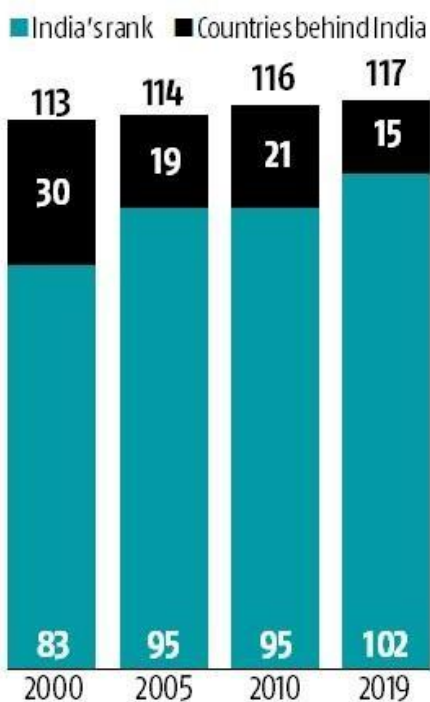
- Out of 2,50,000 globally identified plant species, about 7,000 have historically been **used in human diets**.
- Today, **only 30 crops** form the basis of the world's agriculture and **just three species** of maize, rice and wheat supply more than half the world's daily calories.

#### Scope for Agrobiodiversity: Agrobiodiversity helps nutrition-sensitive farming and bio-fortified foods:

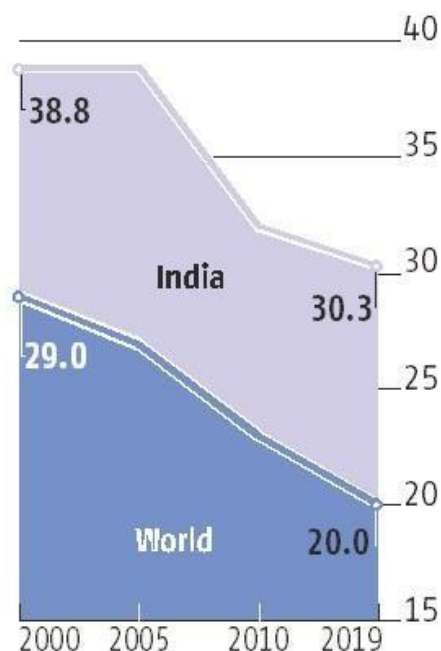
- **Genetic diversity** of crops, livestock and their wild relatives, are fundamental to improve crop varieties and livestock breeds.
- We would not have thousands of crop varieties and animal breeds **without the rich genetic pool**.
- India is a centre of origin of rice, brinjal, citrus, banana, cucumber species.
- Relating to **diversity of crops and varieties** is crucial in food security, nutrition, health and essential in agricultural landscapes.
- Our promising **genetic resources** include rice from Tamil Nadu (Konamani), Assam (Agni bora) and Kerala (Pokkali), Bhalia Wheat and mushroom (Guchhi) from Himachal Pradesh and rich farm animal native breeds: cattle (42), buffaloes (15), goat (34), sheep (43) and chicken (19).
- For instance, **moringa (drumstick)** has **micro nutrients** and **sweet potato is rich in Vitamin A**. There are varieties of pearl millet and sorghum rich in iron and zinc.

## HOW THE COUNTRY FARED

### India struggles to eradicate hunger



### Improvement slows



Note: The reference periods for different indicators are different due to data availability  
Source: Concern Worldwide, Welt Hunger Hilfe

- Across the world, 37 sites are designated as Globally Important Agricultural Heritage Systems (GIAHS), of which three are Indian: Kashmir (saffron), Koraput (traditional agriculture) and Kuttanad (below sea-level farming).
- In India, over 811 cultivated plants and 902 of their wild relatives have been documented.

#### Development goals:

- The **UN Sustainable Development Goal 2** advocates for **Zero Hunger** and the **Aichi Biodiversity Target** focuses on countries conserving genetic diversity of plants, farm livestock and wild relatives.
- It emphasises that countries develop strategies and action plans to halt biodiversity loss and reduce direct pressure on biodiversity.

#### What are the biggest challenges and Areas for Improvement?

- Some of the **biggest challenges to achieving SDG#8** come from external factors. Two of these are climate change and conflict.
- **Global warming** has led to an **increase in extreme weather occurrences** such as droughts, floods and hurricanes which have destroyed crops and pushed up food prices in some of the poorest countries in Africa, South Asia, Latin America and the Caribbean.
- **Food insecurity** is made worse by conflicts which weaken the capacity of governments and institutions to deal with problems.
- According to the **2018 Global Report on Food Crises**, conflict is the main current driver of food insecurity, with Myanmar, the Democratic Republic of Congo, Yemen, South Sudan and Syria among the countries worst affected.
- This highlights how SDGs cannot be tackled in isolation. Achieving success with **SDG#2** is to an extent reliant on the success of **SDG#13** (climate action) and **SDG#16** (peace, justice and strong institutions).

#### Ecologically Sensitive Farming and Agriculture:

The **Centre for Biodiversity Policy and Law (CEBPOL)**, a policy advocacy unit of the National Biodiversity Authority, came out with recommendations **to increase India's agrobiodiversity in 2019**.

- It suggested promotion of the **bio-village concept** of the M.S. Swaminathan Research Foundation (MSSRF) for **ecologically sensitive farming**;
- **Conserving crop wild relatives** of cereals, millets, oilseeds, fibres, forages, fruits and nuts, vegetables, spices etc. for **crop genetic diversity** healthier food;
- Providing incentives for farmers cultivating native landrace varieties and those conserving **indigenous breeds of livestock and poultry varieties**.
- The recommendations also include **encouraging community seed banks** in each **agro-climatic zone** so that regional biotic properties are saved and used by new generation farmers.
- **Preparing an agrobiodiversity index**, documenting traditional practices through People's Biodiversity Registers, identifying Biodiversity Heritage Sites under provisions of the Biological Diversity Act, 2002.
- **Strengthening Biodiversity Management Committees** to conserve agrobiodiversity and traditional knowledge.
- Developing a **national level invasive alien species policy** is required to identify pathways, mapping, monitoring, managing, controlling and eradicating the invasive species and prioritising problematic species based on **risk assessment studies**.

#### Conclusion:

- **Loss of crop genetic resources** is mainly a result of adopting new crop varieties without conserving traditional varieties.
- Similarly, there are concerns on high output breeds for production of meat, milk and egg. The **consumption pattern and culinary diversity** must be enlarged to **increase India's food basket**.
- There is a need for a **comprehensive policy on 'ecological agriculture'** to enhance native pest and pollinator population providing ecosystem services for the agricultural landscape.
- **To conserve indigenous crop, livestock and poultry breeds**, it is recommended to mainstream biodiversity into agricultural policies, schemes, programmes and projects to achieve **India's food and nutrition security and minimise genetic erosion**.

## 5. KEY STEPS TO KICK-STARTING THE ECONOMY

### Current status of the Economy:

- From the level of 8.1% in the fourth quarter of 2017-18, quarterly GDP growth fell to 4.5% in the second quarter of 2019-20, a fall of **3.6 percentage points**.
- This **steady decline** must have had an **adverse impact on employment and poverty reduction**.
- With recession, job loss and companies winding up operations, 2019 has proved to be a bad year for India's economy.
- The GDP growth rate for the second quarter dropped to its lowest in six years.
- **Gross Domestic Product** figures released by the **Central Statistics Office (CSO)** showed that India's GDP for the second quarter of the financial year 2019 (Jul-Sep 19) was 4.5 – lowest since 2012-13.

### Why this economic slowdown is serious?

- Let see in example:
- Every single purchase by her begins a **chain of purchase and sale**. The kiranawallah goes to wholesale market to buy stuff for shop.
- The wholesale market sources its supplies from the farmers, who purchase seeds, fertilisers, tractors, diesel and employ labourers on their fields. All are paid in money.
- This is repeated for every single purchase by your neighbour. She ensures **flow of money that defines growth of measurable GDP**.
- This chain of sale and purchase has shown **signs of slowdown** over the past few months. It is **visible in almost every sector** of the Indian economy. The result was worrisome for 2018-19, for which the GDP growth rate was 6.8 per cent.

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## REVERSING THE SLOWDOWN

The Centre will unveil a host of measures to help the private sector and bolster economic growth.



THE government is likely to take steps to boost infrastructure investments.

SPECIFIC sectors, including the auto industry, may be offered GST relief.

THE Centre is also looking at ways to cut red tape on cross-border trade.

IT may also make efforts to improve ease of doing business.

### Present Banking situation:

- The present economic situation, in a sense, has become **more complicated** because of the **poor health of the financial system**.
- An **excessive expansion of credit** in the earlier years combined with the **slowdown** have contributed to a **rise in non-performing loans** in the banking system.
- Had the banking system been healthy, it could have been used as a lever for stimulating the economy.
- On the other hand, the banking system, currently, has become a burden. **Quickening of the resolution process** along with the recapitalisation of public sector banks has to take priority.

- The **cleansing of the financial system** which also includes finding solutions to the problems of non-banking financial companies will help to push the economy up. In a sense, this is our “**2008-09 crisis**”.

#### **Corrections done from RBI side to boost Economy: Monetary policy review:**

- Monetary policy has done its role by **reducing the Repo rate by 135 percentage points** since February 2019 to date.
- Monetary policy generally is **more effective in controlling inflation** than stimulating an economy.
- Banks have **not followed suit fully** due to the **high level of non-performing assets**. While the Reserve Bank of India (RBI) can play a **supportive role in expanding liquidity**, we must understand the limitations.
- In the present context of the banking situation, the RBI’s role that is even more important than pure monetary policy will be to quicken the resolution process of bad loans and help banks to move to a more healthy situation. The task is not that easy.

#### **Government’s hands tied:**

- Market-based economies thrive on hope and belief of profit by private entrepreneurs. When market sulk under negative sentiments in the market, the government infuses money to bring back hope. But the central government’s hands are tied.
- In India, the **government expenditure** accounts for around **10 per cent** in the economy.
- With the government sensing an economic slowdown, it increased expenditure by 19 per cent in 2017-18 and 13 per cent in 2018-19. This was the highest increase in government expenditure since 2008 financial meltdown.
- To do a repeat, the **government needs more money**. But revenue collection is moderate for April-June quarter — at Rs 4 lakh crore registering a growth of less than 1.5 per cent.
- To put in perspective, the **gross tax collection growth** for April-June 2018 was over 22 per cent. Simply put, the government does **not have enough money to invest in the economy**.

#### **Conclusion: Will 2020 be better? What can be done to make it better?**

- It is not much solace to say that 2020 will be better than 2019.
- The reasonably good monsoon may lead to an **improvement in agricultural production and rural demand**.
- Exports can help a bit if there is strong effort and if the global trade environment improves.
- **Increased government expenditure**, particularly in capital expenditures, is one intervention which is very much needed.
- **Private investment** can pick up provided the growth rate begins to look up.
- **Restoring financial institutions** banking and non-banking to a healthy state when they can begin to lend confidently is the **most essential prerequisite for faster growth**.

#### **Way Forward for Government:**

- Given the revenue trend, the Central Government may **not find it easy to increase its capital expenditures relative to GDP**.
- In this context, one critical question that is under debate is whether the present situation warrants a **breach in fiscal deficit norms**.
- It may be recalled that against the background of the international financial crisis of 2008, the **fiscal deficit** of the Government of India was raised to **6.0% in 2008-09 and it went up to 6.5% in 2009-10**.
- While this extraordinary increase led to the growth rate rising immediately, it **landed us in problems later on**.
- However, a modest breach in fiscal deficit may be acceptable. This is not to ignore the concern that the fiscal deficit indicated by the Budget is always lower than the “true” or “actual” fiscal deficit. That problem might still continue.
- A **focused increase in capital expenditures** of the Government and the Central public sector undertakings (PSUs) may help to **apply the brakes** on the slowdown. It might also help to **“crowd in” private investment**.
- **Reform of the Goods and Services Tax (GST)** is very much needed.
- We need a relook at the commodities falling under various slabs.
- Perhaps in an effort to get the GST through, a lot more of commodities were pushed under the lower slabs.
- Detailed data on GST collections are not available in the public domain to be able to take a view on this.

- **Reforms in this direction** may perhaps have to wait till the economy turns around. The GST has to become **more manufacturer and trader friendly**.

## SCIENCE & TECH

### 1. ISRO SUCCESSFULLY LAUNCHES CARTOSAT-3, 13 NANO-SATELLITES

#### Context:

- India's Polar Satellite Launch Vehicle, in its forty ninth flight (PSLV-C47), successfully launched **Cartosat-3** and **13 commercial nanosatellites** from Satish Dhawan Space Centre (SDSC) SHAR, Sriharikota.
- This is the **21st flight of PSLV in 'XL' configuration** (with 6 solid strap-on motors).
- The Indian Space Research Organisation (ISRO) launched advanced **earth imaging and mapping satellite CARTOSAT-3** along with 13 other commercial nano-satellites for the US.
- **CARTOSAT-3**, which is the ninth in the series, was launched from the second launch pad at Satish Dhawan Space Centre (SDSC) SHAR, Sriharikota at the scheduled time of 9.28 am. This was the 74th launch vehicle mission from Sriharikota.
- The **Polar Satellite Launch Vehicle PSLV-C47** carried the CARTOSAT-3 satellite along with the other commercial nano-satellites for the US.

**ISRO'S PSLV-C47 LAUNCHES CARTOSAT-3, 13 FOREIGN SATELLITES**

PSLV-C47 placed country's **CARTOSAT-3** weighing **1,625kg** into a **509km** polar sun-synchronous orbit

**Also launched 13 nanosatellites from US**

- 12 earth observation satellites named as FLOCK-4P
- 1 communication test bed satellite called MESHBED
- Part of commercial arrangement with NewSpace India Limited (**NSIL**), ISRO's commercial wing

**CARTOSAT-3 is India's earth observation satellite and will help in**

- Urban planning
- Rural resource and infrastructure development
- Coastal land use
- Land cover

**Crosses 300 foreign satellite launch mark**

**Mission life: 5 years**

**PSLV-C47**

**49th flight of PSLV | 21st flight of PSLV XL variant**

Isro's **74th** launch vehicle mission from SDSC SHAR, Sriharikota

#### Cartosat Satellites:

- The Cartosat satellites are **earth observation satellites**, used mainly for large-scale mapping of the Earth through **high-resolution cameras**.
- It also helps to **detect changes in natural geographical or man-made features**. As their cameras can 'look back and forth' in an angle to generate continuous spot images.
- The Earth-observation satellites also include the **Resourcesat and RISAT series**, the Oceansat series.
- The Resourcesat and RISAT series of satellites, for example, provide images and data that are needed for land and water resources applications.

- The Oceansat series and the SARAL satellite, meanwhile, produce data on the oceans.
- The satellites like INSAT 3D, INSAT-VRR or Megha Tropiques study the atmosphere.

#### What is Cartosat-3?

- Cartosat-3 is a third-generation agile advanced earth observation satellite with **high-resolution imaging capability**. Developed by the Indian Space Research Organization (ISRO), it will replace the IRS series.
- Cartosat-3 has a **panchromatic resolution of 0.25 metres** making it the imaging satellite with **highest resolution** and Mx of 1 metre with a high-quality resolution, which is a major improvement from the previous payloads in the Cartosat series.
- Cartosat-2 was used to **plan and execute military operations** such as ‘**surgical strikes**’ across the Line of Control in 2016 and the operations across Manipur-Myanmar border in 2015. Cartosat-2 has got resolution of 65 cm.

#### Applications of Cartosat-3:

- It will address the increased user’s demands for large scale urban planning, rural resource and infrastructure development, coastal land use and land cover etc.
- In its **annual report of 2017-18**, ISRO laid out a very clear strategy of developing India’s Earth observation (EO) capabilities that is based on capturing different themes of land, water, cartography, ocean, atmosphere, and meteorology.
- New missions such as the **Geo Imaging Satellite (GISAT)**, which will enable real-time imaging, alongside the established Resourcesat, Radar Imaging Satellite (RISAT), Cartosat, Oceansat and the Indian National Satellite System (INSAT) constellation make India’s fleet of EO satellites one of the **most comprehensive remote-sensing data sets in the world**.

#### Placing satellites in orbit is only the beginning:

- **Satellites are essentially tools** that can be used to achieve different objectives, from making observations meant to manage natural resources such as water, minerals and agricultural land, to gathering strategic intelligence on assets and developments across a range of areas of interest.
- Assets like **Cartosat-3** are essentially **tasked by civilian or military operators** to provide insights that help support decision-making to achieve certain objectives.
- The traditional way of **downloading satellite data** involves using a ground antenna as the satellite passes overhead.
- The data thus beamed in is then downloaded **into a localised data-storage facility**.
- **Depending on the sensitivity of the data** or the nature of intended use, there are challenges in the way the data is then distributed to the stakeholder.
- Once the raw data is made available, there is a **process to correct possible aberrations** caused by factors such as stability of the satellite in-orbit, atmospheric disturbances, clouds, etc. After this is done, satellite images can be used to get the necessary insights.

#### India needs a cloud and computing strategy:

- Ultimately, satellites are just one among tens of data and intelligence sources, including good-old human intelligence, cyber intelligence.
- Having **disparate data sources** and using the **resulting information in silos** isn’t nearly as efficient as using them together, a process that can improve decision-making and improve the accuracy of insights.
- ISRO is doing a tremendous job of developing **state-of-the-art satellites** and equipping them with sensors that are **generating data** for the country.
- However, these satellites and sensors can only be of great value once they are **integrated with other data feeds** based on the requirements of end-users.
- Several countries, for example, are now **using cloud and cloud-based computing strategies** for agile decision-making.
- Depending on the end-user (civil or military), **policymakers in India need to develop a strategy** to use space and non-space data to keep abreast with such developments, and make sure we are not left behind in the race to extract crucial insights.

#### Conclusion:

- The **Cartosat-3** which will have a **mission life of five years** will address the increased user demands for large scale urban planning, rural resource, infrastructure development, coastal land use, land cover etc.
- **Cartosat-3’s optical imaging** will also help to detect precise cartographic or mapping activities.

- Data from this satellite were also used to do an inundation vulnerability assessment of the **Indian coastline** in the event of a tsunami or a major cyclone, and even for estimating the status of irrigation potential created by the large number of projects under the **Accelerated Irrigation Benefit Programme**.

## 2. TAKING STOCK OF THE ANTI-AIDS FIGHT

### Context:

- The **Sustainable Development Goals (SDG)**, adopted by member countries of the United Nations in 2015, set a target of **ending the epidemics of AIDS, Tuberculosis and Malaria by 2030 (SDG 3.3)**.
- The key indicator chosen to **track progress** in achieving the target for HIV-AIDS is “the number of new HIV infections per 1,000 uninfected population, by sex, age and key populations”.
- Given the wide diversity of the HIV virus strains, **development of a vaccine** has been highly challenging but a couple of candidates are in early stage trials. However, mere **technical innovations** will not win the battle against HIV-AIDS.

### Vulnerable sections who are affected by the epidemics:

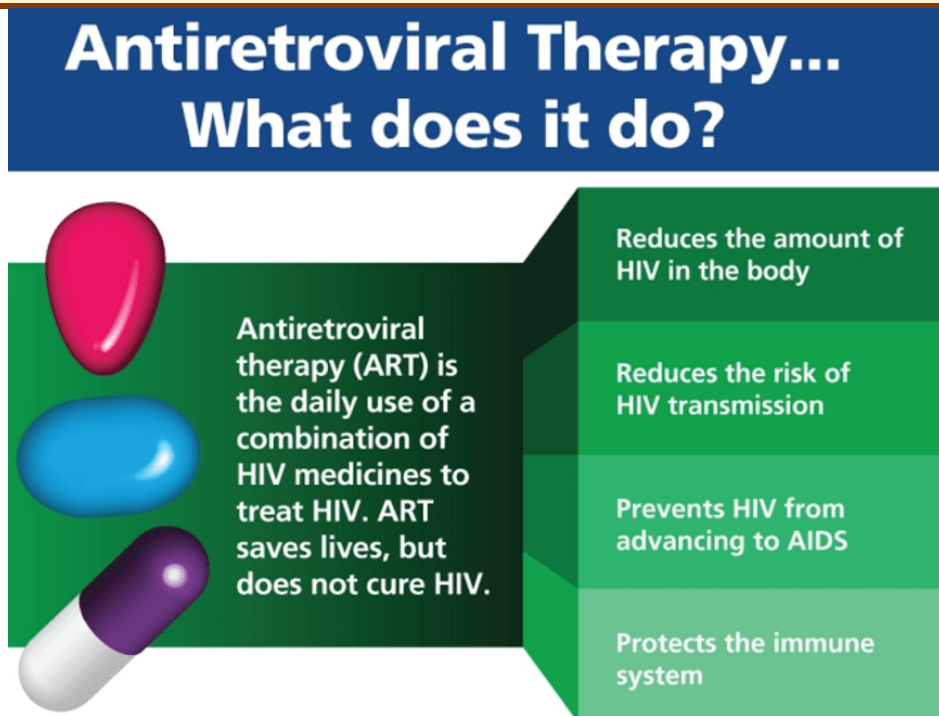
- In the terminology of HIV prevention and control, the phrase “**key populations**” refers to: men who have sex with men; people who use injected drugs; people in prisons and other closed settings; sex workers and their clients, and transgender persons.
- Risk of acquiring HIV infection** is 22 times higher in homosexual men and intravenous drug users, 21 times higher in sex workers, 12 times more in transgender persons.

### India’s efforts to tackle the HIV-AIDS Epidemics:

- The Indian experience has been **more positive** but still calls for **continued vigilance and committed action**.
- Nine States** have rates higher than the national prevalence figure. **Mizoram leads** with 204 out of 10,000 persons affected. The total number of persons affected in India is estimated to be 21.40 lakh, with females accounting for 8.79 lakh.
- Assam, Mizoram, Meghalaya and Uttarakhand** showed an increase in numbers of annual new infections.
- HIV-related deaths **declined by 71%** between 2005 and 2017. HIV infection now affects 22 out of 10,000 Indians, compared to 38 out of 10,000 in 2001-03.
- India has an estimated **2.14 million persons** living with HIV and records 87,000 estimated new infections and 69,000 AIDS-related deaths annually.
- The strength of India’s well-established **National AIDS Control Programme**, with a cogent combination of **prevention and case management strategies**, must be preserved.

### UN 90-90-90 targets report:

- India, China and Pakistan are among the 10 countries that accounted for more than **95 per cent** of all new HIV infections in the Asia and the Pacific region in 2016, according to a UN report.
- The report by the **Joint UN Programme on HIV/AIDS**, UNAIDS, ‘Ending AIDS: Progress towards the 90-90-90 targets’, gives a **comprehensive analysis** of the 2014 targets to **accelerate progress** so that by 2020,



90 per cent of all HIV-infected people know their status, 90 per cent of all HIV-diagnosed people are **accessing antiretroviral therapy (ART)** and 90 per cent of those taking ART are virally suppressed.

#### **Antiretroviral Therapy (ART):**

- It consists of the **combination of antiretroviral (ARV) drugs** to maximally suppress the HIV virus and stop the progression of HIV disease.
- ART also **prevents onward transmission of HIV**. Huge reductions have been seen in rates of death and infections, when use is made of a potent ARV regimen, particularly in early stages of the disease.
- Antiretroviral Therapy (ART) is now being given to people living with HIV, irrespective of the **CD4 count**.

#### **Reasons for the slowdown in progress:**

- The success achieved in the early part of this century, through a **determined global thrust against the global threat**, led to a complacent assumption of a conclusive victory.
- The expanded health agenda in the SDGs stretched the resources of national health systems, even as global funding streams **started identifying other priorities**.
- **Improved survival rates reduced the fear** of what was seen earlier as dreaded death and pushed the disease out of the headlines.
- The **information dissemination blitz** that successfully elevated public awareness on HIV prevention did not continue to pass on the risk-related knowledge and strong messaging on prevention-oriented behaviours to a new generation of young persons.
- **Vulnerability of adolescent girls to sexual exploitation** by older men and domineering male behaviours inflicting HIV infection on unprotected women have been seen as factors contributing to new infections in Africa.
- Risk factors for **cardiovascular disease** are high among survivors as they age, with **anti-retroviral drugs increasing the risk of atherosclerosis**.
- Other infectious diseases, such as **tuberculosis can co-exist** and cannot be addressed by a siloed programme.
- **Mental health disorders** are a challenge in persons who are on lifelong therapy for a serious disease that requires constant monitoring and often carries stigma.

There are worryingly high rates of new infection in several parts of the World. **Only 19 countries** are on track to **reach the 2030 target**.

#### **Conclusion:**

- **Drug treatment of HIV** is now well founded with an array of established and new anti-viral drugs.
- The success of drug treatment **to prevent mother-to-child transmission**, pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP), and male circumcision, especially among MSM population, is **well-documented**.
- Success in our efforts to reach the **2030 target** calls for resurrecting the combination of **political will, professional skill and wide ranging pan-society partnerships** that characterised the high tide of the global response in the early part of this century.
- The theme of the **World AIDS day** this year ("**Ending the HIV/AIDS Epidemic: Community by Community**"), which is communities make the difference, is a timely reminder that **community wide coalitions** are needed even as highly vulnerable sections of the community are targeted for **protection in the next phase of the global response**.

### **3. WHY IS IT TAKING SO LONG TO LABEL FAST FOOD?**

#### **In News:**

- The Centre for Science and Environment (CSE) unveiled a new study which showed that **salt and fat in an array of "junk food"** was well above proposed regulatory thresholds.
- The packaged and fast foods analysed were chips, savouries, pizzas and burgers that are widely available in restaurants and other commercial outlets.
- This is not the first time that the CSE has conducted such research.

- However, the findings are significant as the Food Safety and Standards Authority of India (FSSAI) is **yet to make into law draft regulations on setting limits, and publicising information**, about nutrients in fast and packaged foods.

#### Noncommunicable diseases:

- Noncommunicable diseases (NCDs), also known as **chronic diseases**, tend to be of long duration and are the result of a combination of **genetic, physiological, environmental and behaviours factors**.
- The main types of NCDs are cardiovascular diseases (like heart attacks and stroke), cancers, chronic respiratory diseases (such as chronic obstructive pulmonary disease and asthma) and diabetes.
- NCDs disproportionately affect people in low- and middle-income countries where more than three quarters of **global NCD deaths – 32million – occur**.

### More on the hips

Most brands of junk food were found to have salt and fat content well above the recommended limit



- All chips brands had minimum salt content **2.4** times the RDA and maximum at **5.1** times the RDA. They had minimum fat content **2.1** times the RDA and maximum at **4.6** times the RDA

- Namkeen brands had minimum salt content **2.7** times the RDA and maximum at **7.9** times the RDA. They had minimum fat content **4.3** times the RDA and maximum at **5.6** times the RDA

- Noodle brands had minimum salt content **5.8** times the RDA and maximum at **6.7** times the RDA. They had minimum fat content **1.9** times the RDA and maximum at **2.8** times the RDA

#### Adverse consequences of Noncommunicable diseases (NCDs):

- Noncommunicable diseases (NCDs) kill **41 million people** each year, equivalent to 71% of all deaths globally.
- Each year, **15 million people** die from a NCD between the ages of 30 and 69 years; over 85% of these “**premature**” deaths occur in low- and middle-income countries.
- **Cardiovascular diseases** account for most NCD deaths, or 17.9 million people annually, followed by cancers (9.0 million), respiratory diseases (3.9million), and diabetes (1.6 million).
- These **4 groups of diseases** account for over 80% of all premature NCD deaths.
- Tobacco use, physical inactivity, the harmful use of alcohol and unhealthy diets all increase the risk of dying from an NCD.
- Detection, screening and treatment of NCDs, as well as palliative care, are key components of the response to NCDs.

#### Packaged foods breach safe limits of salt, fat: CSE study:

- The CSE found that given the size of the servings and the amount of nutrients per 100 gm, a single packet of packaged nuts, soup or noodles ended up having these salts and fats well over the recommended limits.
- For instance, Haldiram Aloo Bhujia, a popular savoury snack, with a serve size of 231 gm, had the equivalent of 7 gm of salt and 99 gm of total (saturated and unsaturated) fat.
- A single serving of the Nestle’s Maggi Masala (70 gm) exhausted 50% of the composite RDA for a snack, and a serving of Haldiram’s nut cracker exhausted 35% of the salt RDA and 26% of the fat RDA, the CSE analysis found.

#### Why is industry opposed to the proposed laws?

- Other than the red labels, the industry says the **norms are unscientific** and that packaged food is made to cater to the “taste” of people.
- Moreover, the packaged industry argues, immense quantities of junk food like samosas or fried food sold on **unregulated pushcarts** are consumed in the country with **no check on their nutritional status** and there is **an inherent unfairness** in regulating one section alone.
- Because nutritional information **only guides consumers** on how to **regulate their intake**, the industry feels people should be advised on **what makes a healthy diet**, the role of exercise and consuming appropriate amounts of food. They claim the **current regulations only contribute to fear-mongering**.

#### Therefore, Daily ceiling:

- To calculate **how unsafe the foods tested** were, the organisation relied on the concept of the **Recommended Dietary Allowance (RDA)** a daily ceiling on the amount of salt, fat, carbohydrates and trans fats.

- The RDA is based on **scientific consensus** and has been agreed upon by expert bodies such as the World Health Organisation, and the National Institute of Nutrition in India.
- It says that, ideally, **no more than 5 gm of salt, 60 gm of fat, 300 gm carbohydrate and 2.2 gm of trans fat** should be consumed by an adult every day.
- Further, the RDA from each breakfast, lunch and dinner should be no more than 25%, and that from snacks no more than 10%.

#### Conclusion:

- According to the proposed **draft Food Safety and Standards (Labelling and Display) Regulations**, packaged food companies will need to **declare nutritional information** such as calories (energy), saturated fat, trans-fat, added sugar and sodium per serve on the front of the pack.
- The food labels are also required to declare, per serve percentage contribution to RDA on the front of the pack.
- Though under discussions since 2015 and several drafts the latest one came out recently, these rules have yet to become law, and **to be operationalised**.
- In 2018, the FSSAI came up with a draft law, **the Food Safety and Standards (Labelling and Display) Regulations, 2018**.
- The draft recommended that a packet should have clear information on how much each nutrient, such as salt, sugar, contributed to the RDA.
- The draft said salt must be declared as sodium chloride for instance, and that those ingredients which **breached the RDA should be marked in 'red'**.

#### 'Red Octagon' can be best Way Forward:

- The CSE took the values prescribed in the drafts for their calculations and concluded that all of the popular snacks and fast foods ought to be displaying a **'Red Octagon', a warning symbol employed in packaged foods in Chile and Peru**.
- The Red Octagon, which should be printed on the front of the pack, has a number and the name of the food component within that indicates how widely off the RDA a particular ingredient is.
- Thus, a **Red "3.1, Salt"** on a pack of Lay's India's Magic Masala by PepsiCo indicates that the salt it **contains is 3.1 times the RDA for snacks**.
- "What we have seen is that all of the packaged foods of the various brands we tested would be in the red.
- The regulations, as they now stand, don't apply to fast foods such as burgers and pizzas, even though they were included in the CSE analysis.
- Surveys undertaken by the WHO show that a vast majority of European countries have some form of **front-of-pack labelling**, but fewer countries **have interpretive systems** which explain the health factor of foods.

## INTERNATIONAL RELATIONS

### 1. AN ASIAN ENGINE DRIVEN BY INDIA AND CHINA

#### Introduction:

- The world today is undergoing a **fundamental transformation** and there are several facets to the **emerging uncertainty**.
- Today, the **momentum in manufacturing activity** has weakened to levels unseen since the global financial crises. Investor and business confidence even in emerging markets is at a low ebb.
- **Low productivity growth** and ageing demographics in advanced economies have further compounded the problem. Most countries appear to be financially vulnerable.

#### Present world shows Multi-polarity in various facets:

- Traditional and non-traditional **security threats** (economic and military competition, climate change, piracy, radical ideology, cyber threats, drug and human trafficking, and energy and food security) have grown in magnitude.
- **Power**, whether economic, political or military, is fractured.
- **Trade and technology** are at the heart of a new round of competition and contestation.

- **Nationalism and regionalism** are on the rise. There is less multilateralism but **greater multi-polarity**. Hedging and multi-alignment are the order of the day.

#### 21<sup>st</sup> century is the Indo-Pacific region century:

- Global engines of economic growth over the past three decades have shifted to Asia, first to the Asia-Pacific and now, more broadly, to the **Indo-Pacific region** that includes South Asia.

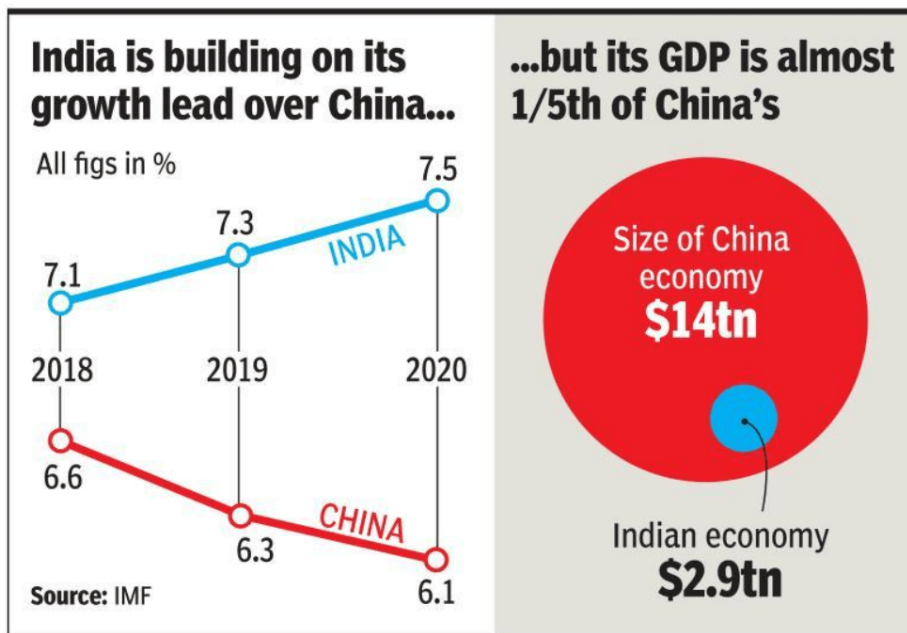
- The continent, home to **over half the global population**, has emerged as the new fulcrum for **geo-economic and geo-strategic realignments**.
- High economic growth rates across the region are accompanied by some of the highest military expenditures in the world.
- In the face of automation, countries are undertaking structural reforms and emphasising skills-training to raise productivity. Development and adoption of **green technology** is also a priority.
- Even Saudi Arabia, the quintessentially hydrocarbon-dependent economy, has endeavoured to **diversify its economy** through the **Saudi Vision 2030 master-plan**.

#### Obstacles of Exports Ahead:

- The liberal trading order has encountered protectionism in the form of **tariff and non-tariff barriers**, which explains why **India's service exports** which touch **\$29.6 billion in the U.S. market**.
- **Pharma products**, especially generic drugs, which account for **20% of global generic medicines**, have barely been able to scratch the surface in the Chinese market.
- **Cheaper imports from China**, which practices "**state capitalism**", threaten domestic manufacturing in India.
- Movement of talent and the services sector, important for India, have **not received satisfactory attention**.
- Many of these concerns are **central to India's position** on the Regional Comprehensive Economic Partnership (RCEP).
- There is a looming danger for developing countries on account of '**zero-sum' mercantilism and rising protectionism** in western economies.
- There is no doubt that the **S-China trade war** has been disruptive. Geopolitical considerations are increasingly driving trade and investment decisions.
- On the other hand, **geo-economic forces** unleashed by China's economic rise are redefining the **geo-strategic landscape** of the Indo-Pacific region.
- Worryingly, the global economy is likely to grow at its slowest pace in a decade, at 3% in 2019.
- **Key anchors in the global economy**, including China, are experiencing a slowdown. Asia is witnessing the simultaneous rise of several powers.

#### Shaping trade, economy for two Asian giants:

- As China's presence in South Asia grows, **greater transparency in its actions and closer consultations with India** are also necessary to help allay concerns. China should also be mindful of its forays into the Exclusive Economic Zone of others.
- Today, the **global energy market** is more favourable to consumers in the face of a supply side glut.
- OPEC and non-OPEC oil and gas producers have come together to **prevent a fall in energy prices**. This should be a common concern for China and India.



- As two of the world's biggest importers of oil and gas, the two nations should have a **joint consultative mechanism** to protect the interests of consumers.
- Both India and China are expected to contribute to **global economic growth** in the future.
- India is also transforming into a **knowledge-based, skill-supported and technology-driven society**.
- A liberal FDI regime combined with a **youthful demographic profile** makes India an **attractive destination**. India attaches great importance to its relations with China, a large trade partner in goods.
- The RCEP should have a **wider ambit**, including **trade in services**.
- Many countries (especially **Japan** which still boasts the world's second-largest developed economy) have **openly favoured a more accommodating position** that addresses India's concerns and facilitates its joining the RCEP.
- China too should **pro-actively work** to ensure India's membership.
- Beyond jointly training Afghan diplomats under the "**India-China Plus One**" framework, China and India could explore the potential to work together on Asian infrastructure and connectivity development on the basis of equality and an open and transparent model under the **Asian Infrastructure Investment Bank (AIIB)**.

#### Trade Balance with China:

- **Bilateral trade** for India and China today is approximately **\$95 billion**.
- India faces a **huge and rising trade imbalance**. The decision at the Mamallapuram Summit, to **set up a new mechanism** to discuss the **trade imbalance**, is aimed at addressing this issue.
- As members of several multilateral institutions, **India and China are in a unique position** to give shape to their economic destinies.
- There are suggestions that the era of the World Trade Organisation (WTO)-anchored, **Most Favoured Nation (MFN)-based regime** is drawing to a close and that the future lies in a web of free trade agreements.
- However, there is still scope for India and China **to work together to strengthen the WTO**.

#### Chinese Investments in India:

- Since 2015, there has been a **spurt in Chinese FDI in India** (at around \$8 billion).
- There is great scope for China **to participate** in flagship initiatives such as the 'Smart Cities Mission' and 'Skill India' programmes.
- As the world's second-largest economy, China can and must play a **constructive role globally and within Asia** to help the world return to higher growth rates.
- Therefore, for India the need of the hour is "if the world is different, we **need to think, talk and engage accordingly**. The wheels of change appear to have been set in motion.
- There is also a **need to focus** on establishing partnerships, networks and an **innovation system** that enhance a country's ability **to share knowledge and information**.

#### Conclusion:

- Countries need to respond with policies, programmes, institutions and partnerships that **maximize their economic opportunities** while sustaining social fabric.
- Governments must **re-evaluate** not only where to **spend their S&T resources** but also **how to spend them more effectively**.
- There is also a **need to focus** on establishing partnerships, networks and an innovation system that **enhance a country's ability to share knowledge and information**.
- It must be remembered that Asia's rise is **predicated on peace and stability**. It is a sad fact that a **stable regional security architecture** has yet to emerge organically in Asia.
- Prime Minister Narendra Modi had stated at the **Raisina Dialogue in 2017**: that there is enough room for all Asian countries **to prosper together**, and that the Asia of rivalry will hold us all back. It is the Asia of cooperation that will **shape this century**.

## 2. IRAQ'S AUTUMN OF DISCONTENT

### Introduction:

- Iraq has endured **four decades** of near **ceaseless depredations** with three 'Mother of All Battles', economic sanctions, occupation, and existential duels with al Qaeda and the Islamic State (IS).
- Recently, it has been **crippled by agitations** led by youth railing against an inapt and corrupt leadership. They are frustrated because of unemployment, decaying civic amenities, and foreign domination.
- Iraq remains a largely **cash-based society** and **instability** has delayed the development of its banking system, which remains **underdeveloped** due to a lack of competitiveness and the dominance of state-owned banks that are undercapitalised, illiquid and burdened by underperforming assets.
- On December 1, the Iraqi Parliament accepted the resignation of the Prime Minister throwing the country into a **fresh bout of political instability**.



### Political instability weighs on Iraq's economic recovery:

- Iraq's road to economic recovery is being further hampered by the political instability that has rocked the country for the past two months, as well as a **lack of institutional capacity**, according to a report by the **Institute of International Finance**.
- According to the **World Bank's estimates**, Iraq's war damages stand at around \$46 billion (Dh169bn), while **rebuilding the country** would require \$23 billion for short-term reconstruction, and an additional \$65bn over a subsequent five-year horizon, totalling \$88bn.
- Continuous **domestic political instability** and possible elections without clear winners could lead to significant delays in reconstruction and a power vacuum leaving space for a resurgence of militant forces.
- Second, further deterioration of the **fiscal position** may **crowd out private sector credit** and push public debt to unsustainable levels

### India-Iraq historical Ties:

- India and Iraq have **historical and civilizational ties**. Iraqi port of Basra was not only the market par excellence of the **Indian merchandise** including textiles, spices, food-grains and other commodities for the Arab world but also of the famous pearl trade that flourished mainly **through the Indian traders and jewellers**.
- **Indian soldiers and railway workers** from British India had played major role in **ensuring the security** in this region during the colonial era and have left an imprint in the region that many Iraqis still proudly claim their Indian ethnic descent.
- India and Iraq have even shared **agricultural practices**.

### India's role in Iraq developmental works:

- For Indians, the developments in Iraq may appear as a distant rumble. They are not.
- One, Iraq is India's largest source of crude. A **protracted instability** in Iraq would result in oil price rise.
- Two, with **direct bilateral trade of over \$24 billion** in 2018-19, Iraq is already a large market for India's exports with sizeable potential for growth.

- Three, in the 1975-85 decade, Iraq was the **biggest market for India's project exports**; its post-conflict reconstruction requirement would be huge.
- Additionally, **India can also help Iraq** in MSMEs, skill development, healthcare, education, and improved governance.
- But before all this can happen, India would need to help Iraq avoid the worst-case scenario.
- For this, it needs to hold **Iraq's hand to foster political reforms** and help create **credible and effective socio-political institutions**.

#### **Iraq urges Indian companies to participate in energy and infra projects:**

- Being one of the **largest oil and LNG importer**, India is looking at other countries to fulfil its demands.
- Minister of Petroleum and Natural Gas visiting Iraq to explore possibilities for **increasing imports from that country**.
- Fear of political unrest and lack of direct sea route, Indian businesses have kept away from Iraq since 2002.
- **Saudi Arabia** which has been **India's top oil source** was for the first time dethroned by Iraq in 2017-18 fiscal year in supplying crude to India.

#### **Capacity building:**

- The academic linkages in the medical and engineering fields have throughout been vibrant.
- In terms of **capacity building**, India has annually been providing assistance to Iraq under the **Indian Technical and Economic Cooperation (ITEC) programme** to train officials of the Government of Iraq.
- For the year 2017-18, a total of 175 slots have been allotted under ITEC programme. In addition, India has been offering opportunity to Iraqi students for higher studies in India under '**General Scholarship Scheme' (GSS) organized by the Indian Council of Cultural Relations (ICCR)**.
- The Indian Oil Corporation Limited (IOC) has provided training to the Iraqi oil officials in India in various subjects related to downstream oil sector.

#### **Conclusion:**

- According to experts, **India imports almost 80 percent crude** to meet its growing needs from various countries across the globe including the United States and Russia.
- **West Asia region** is also of critical importance to India as **it buys its crude from countries** including Saudi Arabia, Kuwait, and Iraq.
- However due to **political uncertainty** related to Iran and Saudi Arabia, India has started exploring options in other countries.
- Over the past 70 years, India has created such institutions suited for a **multi-ethnic developing society**. This makes it compatible to partner with Iraq.
- India's millennia-long civilisational ties with **Mesopotamia** give it a tradition of goodwill with **all sections of Iraqi society**.
- **This legacy needs to be leveraged** not only to help transform Iraq, but also **revitalise India's bilateral ties** with this friendly country in the extended neighbourhood.

### **3. IRONING OUT THE WRINKLES IN TRADE DISPUTES ADJUDICATION**

#### **Context:**

- **WTO appellate body** has become dysfunctional as two of the three remaining judges has retired.
- The US has **stalled appointments** of members in the appellate body of WTO's **dispute settlement system**.
- Presently, there was only one active Appellate Body member left. This makes the appeals process of the WTO dysfunctional, given that a **minimum of three Appellate Body members** are needed to consider an appeal of a panel report.

#### **WTO Appellate Body:**

- The Appellate Body was set up in 1995 as a "**safety valve**" against erroneous panel reports in return for the membership agreeing to **adopt reports** using the "reverse consensus" rule in lieu of the "**positive consensus**" rule.
- This Appellate body was established **under Article 17** of the Understanding on Rules and Procedures Governing the **Settlement of Disputes (DSU)**. The Appellate Body has its seat in **Geneva, Switzerland**.

- Under the erstwhile positive consensus rule, reports issued by panels composed to hear disputes under GATT, could be adopted only if each of the contracting states favoured its adoption. This effectively handed a **veto to the losing state**.
- It is a standing body of seven persons that hears appeals from reports issued by panels in disputes brought by WTO Members.
- The Appellate Body can **uphold, modify or reverse the legal findings** and conclusions of a panel.
- Appellate Body Reports once adopted by the Dispute Settlement Body (DSB), must be accepted by the parties to the dispute.

**Dispute Over Dispute Settlement**  
India, EU, China propose changes to get stalled dispute settlement regime going at WTO

**US' STAND**  
The US has been stalling appointment of new judges  
7-member AB will be left with only one member by year-end  
US' unilateral trade action creating more disputes

**JOINT PROPOSAL**  
It seeks to bring dispute settlement on track  
Backs longer tenure for judges  
Extension to retiring ones till more are appointed

#### Dispute Settlement of the World Trade Organization:

- WTO is an international body that also deals in Dispute Settlements.
- The member country will approach the **WTO's dispute settlement body** when a country fails to comply with WTO rules.
- All the members are encouraged to settle the disputes **through consultation or a panel** if the consultation fails.
- The constituted panel will **circulate the verdict** of the dispute settlement amongst WTO members who can decide to reject the ruling.
- If the ruling is approved, the member country that violated the rules must change rules in line with the **WTO Agreement**.
- In the case of failure to do so, the complaining country and the violating country may determine a **mutually-acceptable compensation**, failing which, the complaining country may retaliate suitably.

#### Consequences of fall of Appellate Body:

- The fall of the Appellate Body **effectively marks a return** to the previous system as it hands states an opportunity to appeal an **adverse panel ruling** and effectively indefinitely delay its adoption.
- The majority of the disputes at the WTO **concern trade remedy matters**.
- In such matters, if a state violates the rules, for example those concerning dumping of goods or grant of subsidies, affected states can without recourse to the WTO, adopt countermeasures such as imposition of anti-dumping and countervailing duties.
- The dispute resolution mechanism primarily aims to police the adoption of such **countermeasures**, namely whether they were warranted and otherwise imposed consistently with the rules.
- While the fall of the Appellate Body may see the adoption of **more unilateral sanctions by states**, possibly leading to **increased trade wars**, it will not render the WTO rules unenforceable.
- The **threat of reciprocal sanctions** may in fact serve to encourage states to remain compliant with the rules even in the absence of a functional Appellate Body at the helm of the dispute mechanism.

#### Alternative pathways for future trade disputes:

- Finally, although the membership could **not prevent** the fall of the Appellate Body, several states have adopted ad hoc solutions.
- States such as Indonesia and Vietnam have, through a **no appeal pact**, agreed in advance not to appeal the ruling of the panel in the dispute between them, effectively waiving their right of appeal.
- The European Union (EU), Norway and Canada have agreed on an interim appeal system for resolving any disputes through **arbitration using Article 25** of the dispute settlement understanding in a process mirroring that of the Appellate Body with former Appellate Body members appointed as arbitrators.

- The EU has even threatened to launch **countermeasures** under general international law for countries that lose at the panel stage but refuse recourse to the interim appeal system under Article 25 of the dispute settlement understanding and instead appeal the report “in limbo” **with a view to avoid the adoption of the report altogether.**
- In a vastly changed global economic landscape, the **re-emphasis on diplomatic solutions** in lieu of **judicialized solutions** to resolve inter-state trade disputes may not be an entirely bad outcome.

#### Conclusion:

- The fall of the WTO Appellate Body represents a **turbulent period** in the history of trade disputes adjudication, it by no means spells the end of the WTO.
- Although the overall effectiveness of such alternative strategies to overcome the demise of the WTO Appellate Body is **uncertain**, they do represent good faith efforts by some members at **resolving future trade disputes.**
- The ongoing negotiations between the United States and India in relation to the Panel report in US-Carbon Steel, where the U.S. has appealed an adverse report to a dysfunctional body, may offer an **insight into how the dispute settlement system evolves.**
- It presents an opportunity to the members to **rethink and “iron out some of the creases” with the present system.**

## ENVIRONMENT

### 1. WIDENING GAP: ON UN'S EMISSIONS GAP REPORT

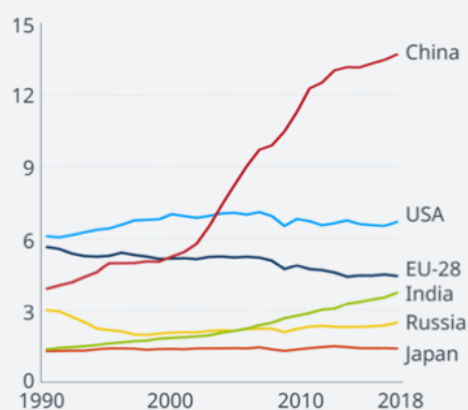
#### Context:

- The **UN's Emissions Gap Report** comes as a sharp warning to countries preparing to meet in Madrid in December, under the aegis of the **UN Framework Convention on Climate Change.**
- Every year of inaction is jeopardising the **main goal of the Paris Agreement:** to keep the **rise in global temperature** over pre-industrial times well **below 2°C, and ideally at 1.5°C.**
- **Emissions gap** represents the difference between current actions to **reduce greenhouse gases (GHGs)** and what is needed to meet the target.
- In quantitative terms, the **UN report estimates** that there would have to be a 2.7% average annual cut in emissions from 2020 to 2030 for temperature rise to be contained at 2°C, while the **more ambitious 1.5°C target would require a 7.6% reduction.**

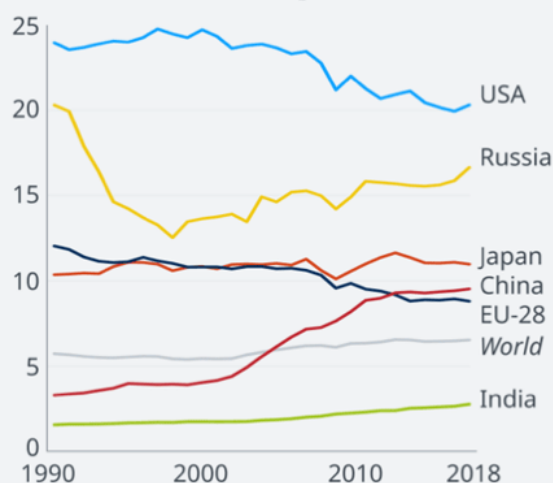
#### Top greenhouse gas emitters

Excluding land-use change emissions

Absolute emissions in Gigatons CO<sub>2</sub>e



#### Emissions per capita in tons CO<sub>2</sub>e



Source: UN Emissions Gap Report 2019

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#### Postponing GHG emission Targets every year by most of the countries:

- Globally, countries have collectively failed to **stop the growth in greenhouse gas (GHG) emissions** due to which deeper and faster cuts are now required to avert climate catastrophe.
- The UN's Emissions Gap Report highlighted that there is **no sign of GHG emissions peaking** in the next few years.

- Every year of **postponed peaking** means that **deeper and faster cuts** will be required.
- **By 2030**, emissions would **need to be 25 per cent and 55 per cent lower** than in 2018 to put the world on the least-cost pathway to limiting global warming to **below 2°C and 1.5°C respectively**.
- But **countries with large emissions**, such as the U.S., China, the European Union (EU) nations and India, will face more challenging demands if corrective measures to decarbonise are not implemented now.
- **Climate warnings issued** over the years have failed to impress most politicians, but the EU is considering an **emergency declaration**, and the British Parliament adopted a resolution earlier this year.
- What the emissions gap findings make clear, however, is that symbolism can do little to mitigate the effects of dangerous climate change. Hundreds of millions of people could face the extreme impacts.
- In the U.S., the Trump administration has initiated the process of **withdrawing from the Paris Agreement**, but there is considerable sub-national support for climate action.
- The EU, where public pressure to act on climate change is high, is working on legislation to bring about net zero emissions.
- **The U.K.** responsible for a **large share of historical emissions**, has turned its **net zero 2050 goal into a legal requirement**.
- For these rich nations, the road to lower emissions is mainly through **innovation and higher efficiencies in energy use**.
- China and India, on the other hand, have to reconcile growing emissions with development needs.
- Their best options are a scaling up of **investments in renewable energy**, leapfrogging to clean technologies in buildings and transport, and greater carbon sequestration.
- **Europe is the first continent** to declare **climate and environmental emergency** and it's a very strong message, first to European citizens and to the rest of the world, just before COP25.

#### Are governments doing enough?

No. Today, countries are not doing enough.

- An increasing number of countries and regions are **adopting ambitious goals** in line with the transformation needed, but the scale and pace is not sufficient.
- Most nations are expected to **strengthen their climate commitments in 2020**.
- To date, 71 countries and 11 regions, accounting for **about 15% of global GHG emissions in total**, have **long-term objectives** to achieve net-zero emissions, differing in scope, timing and the degree to which they are legally binding.
- This leaves countries representing the **remaining 85% of global GHG emissions** still to make similar commitments.
- **G20 members** account for **78 per cent of all global greenhouse gas emissions**.
- Out of the 20 members, six of them which include China, the EU28, India, Mexico, Russia, and Turkey are slated to meet their unconditional NDC targets with current policies.
- Theirs is the biggest opportunity to lead the world into a **thriving, renewable future**.
- However, India, Russia, and Turkey are projected to be **more than 15 per cent lower than their NDC target emission levels** the report highlighted.
- If current **unconditional NDCs** are fully implemented, there is a 66 per cent chance that warming will be **limited to 3.2°C** by the end of the century.
- If conditional NDCs are also effectively implemented, warming will likely reduce by about 0.2°C.

#### United Nations Climate Change Conference 2019:

- The first major offsetting scheme, the U.N.s **clean development mechanism (CDM)**, was set up under the **1997 Kyoto Protocol**, in which 190 countries agreed country-by-country emission reduction targets.
- **Carbon offsetting** allows a country to help reach its own emissions reduction targets by funding emission reductions in another country.
- Companies are also increasingly **using carbon credits** to offset their emissions.
- Underlines **India's leadership** in the comity of nations committed to global cause of environmental protection and climate justice.
- Implementation of **Clean Development Mechanism (CDM) projects** under commitment period in accordance with Sustainable Development priorities will attract some investments in India as well.

#### For India, Energy Conservation Code of 2018:

- Giving a further fillip to **India's energy conservation efforts**, Ministry of Power has launched the ECO Niwas Samhita 2018, an Energy Conservation Building Code for Residential Buildings (ECBC-R).

- **ECO Niwas Samhita 2018** an **Energy Conservation Building Code** for residential buildings, to push for energy efficiency in residential sector was launched on December 14, 2018.
- It aims to **promote design and construction of homes** including apartments and townships to give benefits of energy efficiency to the occupants. Ministry of Power launched the ECO Niwas Samhita 2018.
- To benefit the occupants and the environment by promoting energy efficiency in design and construction of homes, apartments and townships.

**Conclusion:**

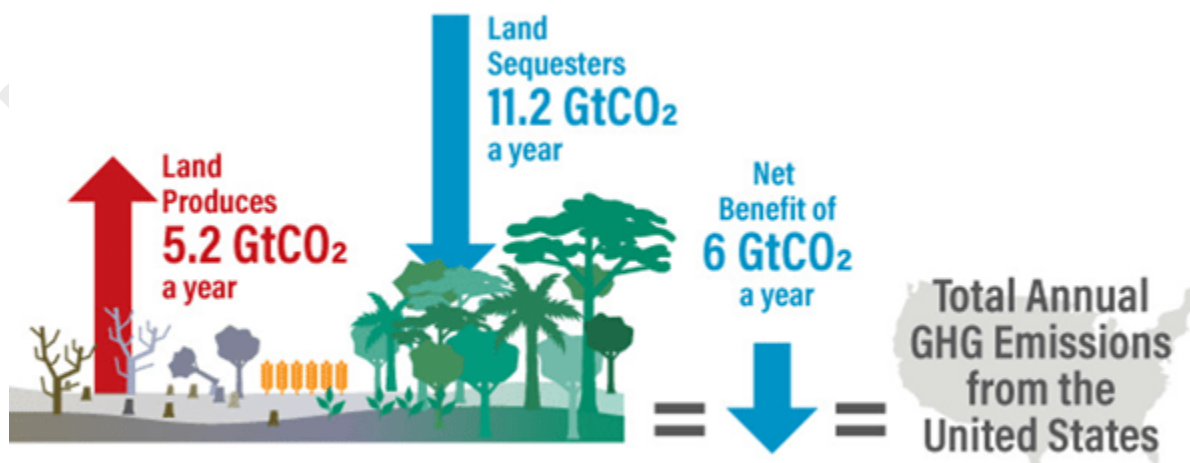
- **Climate emergency declarations** are, broadly, symbolic motions rather than **legally binding legislation**.
- The UK's declaration, for example, did not require any changes to the Climate Change Act or the nation's Paris Agreement contributions.
- As the **UN report** points out, India could do much more.
- It needs to **provide more consistent support** for renewable energy, have a **long-term plan** to retire coal power plants, enhance ambition on air quality, adopt an economy-wide green industrialisation strategy, and expand mass transport.
- In the key area of buildings, the **energy conservation code of 2018** needs to be implemented under close scrutiny.
- With a clear vision, India could **use green technologies** to galvanise its faltering economy, **create new jobs and become a climate leader**.

## 2. CLIMATE WARNINGS: ON UNMET EMISSION GOALS

**Context:**

- Perhaps the **most pressing and important crisis** facing the international community today is **climate change**.
- Leaders from more than 200 countries have gathered in Madrid for the Conference of the Parties (**COP25**) to the United Nations Framework Convention on Climate Change (UNFCCC) that runs from December 2-13.
- The member-nations of the **UN Framework Convention on Climate Change** have been trying to finalise measures under **Article 6 of the Paris Agreement** to commodify carbon emissions cuts, and to make it financially attractive to reduce emissions.
- **Two important reports** of the Intergovernmental Panel on Climate Change (**IPCC**), on the **impact of higher global temperatures** on land, oceans and the cryosphere, lend further urgency to the task before countries now meeting in Madrid for the UN conference.

### Land is Both a Powerful Sink and Emitter of Carbon Dioxide Emissions



Note: Values are an average over 2007-2016  
 Source: IPCC Special Report on Climate Change and Land

 WORLD RESOURCES INSTITUTE

### Sea Level rise and Degradation of Land: IPCC reports:

- The IPCC scientists, whose research **helps the international community** decide on actions to **reduce greenhouse gas emissions**, are worried that even under the most optimistic scenarios, human health, livelihoods, biodiversity and food systems face a serious threat from climate change.
- In the case of **oceans and frozen areas on land**, accelerated rates of loss of ice, particularly in Greenland, the Arctic and the Antarctic, will produce a **destructive rise in sea levels**.
- **Increases in tropical cyclone winds**, rainfall and extreme waves, combined with relative sea level rise, will exacerbate catastrophic sea level events.
- All this will deal a blow also to the **health of fish stocks**. What is particularly significant for countries with a long coastline, including India, is that local sea level anomalies that occurred once in a century may become annual events, due to the **projected global mean sea level rise** over the 21st century.

### Sinking of Islands and Coastal Areas due to sea-level rise:

- This is an alarming scenario for the **680 million residents of low-lying coastal areas**, whose population may go up to **one billion by 2050**, and for those living in small islands.
- It strengthens the case for industrialised nations to provide liberal, transparent funding to developing countries under the Paris Agreement, reinforcing the principle of **Common But Differentiated Responsibilities and Respective Capabilities**, and recognising that rich countries reduced the carbon space available to the poor.
- Every year just **gross deforestations** are pumping out on the order of **20Gt of carbon dioxide**. If we stop deforestation tomorrow that is the flux that we would stop from the biosphere to the atmosphere

### Madrid Conference Focus on:

- The developed world will be focusing in Madrid on
  - **Creating a global system of accounting for emissions reductions**,
  - Introducing **credible carbon markets**, and
  - Making some of the gains from these markets available to developing nations **to invest in green energy**.
- Given that scientists have a **high degree of certainty on losses** that will arise from climate change, there must be steady progress on addressing damage.
- Yet, even with the highest resolve, the existing Nationally Determined Contributions filed under the Paris Agreement fall short and need augmenting.
- Denmark's parliament adopted a **new climate law** with some bold targets. The law legally commits it to reaching **cutting emissions 70% below 1990 levels by 2030**, achieving **net zero emissions by 2050** and delivering climate action on the international stage – including climate finance.

### New platform linking oceans and climate launched in Madrid:

- A new international initiative at the **25th Conference of the Parties to the UNFCCC (COP25)** currently underway in Madrid aims to kickstart the search for such solutions.
- The Platform of Science-based Ocean Solutions aims “to enhance the sharing of knowledge created by various actors in the **ocean and climate community to advance ocean-climate action**”.
- The platform builds on the momentum of an IPCC **Special Report on Oceans and Cryosphere in a Changing Climate (SROCC)** earlier this year.
- The SROCC highlighted that “the global ocean has warmed unabated since 1970 and has taken up **more than 90 per cent** of the excess heat in the climate system.”
- It has also **absorbed 20-30 per cent of total human-caused carbon dioxide emissions** since the 1980s, causing **increasing surface acidification**.
- The most specific aim of the new platform is “to **encourage** the incorporation of the **ocean in climate strategies** (Nationally Determined Contributions, National Adaptation Plans, Adaptation Communications, and National Policy Frameworks).”
- There is no nature-based solution **without human-based resolutions** to change things.
- That's why we are focused on **having all stakeholders together**, including the private sector.
- The science has already told us what the situation is, and it is very clear. We know where to go and we know how to get there, but in order to do so we need to have everyone on board.

### Conclusion:

- The new IPCC assessment underscores the need for **unprecedented and urgent action** in all countries that have significant greenhouse gas emissions.

- There is a **yawning gap between planned emissions cuts**, and what needs to be done **by 2030** to contain global temperature rise at 1.5°C.
- **Integrating oceans into national targets** will be challenging. The most direct way to do this is by taking into account **coastal ecosystems**.
- The SROCC notes, for example, that “**nearly 50 percent of coastal wetlands have been lost over the last 100 years**, as a result of the combined effects of localised human pressures, sea level rise, warming and extreme climate events”.
- This **climate-and-ocean intersection** also needs a good sounding board to weed out dangerous ideas like ‘**ocean fertilization**’, which involves adding iron to the ocean surface to intensify the growth of carbon-absorbing phytoplankton, or generating carbon credits based on sinks.
- The Platform of **Science-based Ocean Solutions** will be critical to building technical capacity on both these fronts.

INSIGHTS IAS

# RSTV/LSTV/AIR SYNOPSIS

## POLITY & GOVERNANCE

### 1. STRENGTHENING PARLIAMENTARY INSTITUTIONS

#### Introduction:

- Vice President Venkaiah Naidu on Tuesday pushed for the **Women's Reservation Bill** and reforms in the way Parliament works including a code of conduct for lawmakers and greater powers to the presiding officer to deal with disruptive legislators. The Vice President, who delivered the first Arun Jaitley memorial lecture at Delhi University, **also pitched for a minimum sitting for both Houses in a year and a longer tenure to parliament's standing committees.** Pointing out that women at present constitute only about 13% of Parliament, he urged political parties to take forward "the legislation in the Parliament for reservation of women in legislatures". The Vice President also suggested a list of broad framework of reforms for parliamentary institutions to "enhance the trust of the people in them." He suggested both "**pre and post Legislative Impact Assessment**" for "quality and informed law making. He also said that the practise of reconstituting Parliamentary standing committees every year can be stopped and nomination of members in the committees may be "based on academic backgrounds and their re-nomination on the same committees for a longer period."

#### Vice President seeks a new political normal based on 15 point reform charter for better functioning of Parliament

Expressing concern over the functioning of parliamentary institutions in the country and erosion of public trust in them, the Vice President, Shri M. Venkaiah Naidu today unveiled a 15 point reform charter as the basis for a new political normal to enable effective functioning of the Parliament and State Legislatures.

- He called for a **new political consciousness** urging all the stakeholders to review their mindset with regard to their roles and responsibilities.
- Expressing **concern over poor attendance in the legislatures and the quality of debates**, the Vice President urged the political parties to ensure attendance of at least 50% of their legislators all through the proceedings of the Houses by adopting a roster system.
- Responding to the concerns over stifling of the freedom of expression of the legislators due to issuance of 'Whip', Shri Naidu called for a review of the same so as to enable reasonable degree of dissent without impacting the stability of the government.
- The Vice President also advocated a **thorough review of the Anti Defection Law to rectify the grey areas** like incentivising legislators to resort to actions inviting expulsion from the party besides providing for time bound disposal of defection cases by the Presiding Officer.
- Referring to the functioning of the Department Related Standing Committees that came into being in 1993 for detailed examination of legislative proposals, Demands for Grants and other select subjects on behalf of the Parliament, Shri Naidu expressed concern over declining attendance, lack of specialisation, limited tenure of one year, frequent hopping of Committees etc.
- Shri Naidu proposed a detailed framework based **pre and post Legislative Impact Assessment.**
- Conceding that the present '**First Pass The Post (FPTP)**' system of electing people's representatives is **faulty** to the extent that MPs and MLAs are being elected with substantially less than 50% of voter. He further said that the proportional representation being advocated in some quarters would lead to promotion of further social and political cleavages besides being not practical due to implementation issues.
- Shri Venkaiah Naidu stated that '**Parliamentary form of Government**' is one of the features of the '**Basic structure of the Constitution**' and is accordingly beyond the power of Parliament to be amended as per the settled position in the matter.
- Referring to the long held perception about the role of caste, community, region and religion in influencing the voting preferences in the country, Vice President Shri Naidu stated that there is growing evidence to suggest the decline of such identity based voting but it needs to be completely stamped out.
- Shri Naidu underscored the need for the governments to be responsive to the concerns of the Opposition and the Opposition to be responsible and constructive during the debates and while criticising the government and opposing legislation.

- The other reform proposals of Vice President and Chairman of Rajya Sabha include building consensus on simultaneous polls to let unfettered governance, enacting for reservation of women in legislatures, making rules that automatically take effect against erring members in case of interruptions and disruptions, regular publication of reports by the Secretariats of Legislatures on the attendance of Members and their participation in debates, **doing away with the winnability as the sole criterion for selecting contestants by the parties** to address the concern of rising number of legislators with criminal record.

#### How can we say that the significance of Parliament has diminished over the years?

- **The process of legislation has become slow and lagged.** Laws are often passed in rush with little scrutiny and no follow-up rules. In some cases, it takes sessions together for a bill to become law.
- Parliament, which was **meant to invoke accountability**, has almost forgotten its role. Now, the only means are questions asked by MPs, many of which are pedantic, unclear or on behest. Besides, these questions are often answered with less or hidden facts by the government.
- **Discourse and debate on issues of national importance were an attribute and highlight of Parliament** during the first two decades of the republic, until around 1970. But this has eroded and diminished with the passage of time.
- **Number of days when the parliament meets and discusses the relevant issues have also gone down.**
- **The criminalization of politics is another concern.**

#### Reasons for the diminishing role of the parliament:

- **The barriers to entry in politics are formidable.** The only access comes from kinship or money. And muscle power matters as a determinant of success.
- Also, **there are institutional constraints on the performance of MPs as well.** The allocation of time for MPs to speak is proportional to the strength of their political party in the house and its leadership decides who gets to speak and for how long. The speaker of the Lok Sabha or the chairman of the Rajya Sabha have little discretion in the matter.
- **The only other opportunities for MPs are during question hour or zero hour.** Answers to unstarred questions are simply laid on the table of the house. Starred questions are too many. Only a few come up for discussion. And these are just not taken up if the concerned MP is not present at the time. In zero hour, the speaker or the chairman have the discretion to invite an MP to speak, but **time is too little and speeches are often drowned out in pandemonium.**
- **MPs also do not quite have the freedom to speak in our Parliament as in other democracies.**
- **Parliament also does not meet or work long enough and there are institutional constraints on its performance** while working.

#### How parliamentary committees be made more effective?

- Parliamentary committees don't have **dedicated subject-wise research support available.** The knowledge gap is partially bridged by expert testimony from government and other stakeholders. Their work could be made more effective if the committees had **full-time, sector-specific research staff.**
- The national commission to review the working of the Constitution has recommended that in order to strengthen the committee system, **research support should be made available to them.**
- Currently, the rules of Parliament don't require every bill to be referred to a parliamentary committee for scrutiny. While this allows the government greater flexibility and the ability to speed up legislative business, it comes at the cost of ineffective scrutiny by the highest law-making body. **Mandatory scrutiny of all bills by parliamentary committees would ensure better planning of legislative business.**

#### Way Forward:

- Parliament has to **meet for minimum mandated number of days**
- **Need strong legislative aids** which is practiced in other democracies.
- Organising training programmes and visits to other parliamentary countries.
- Parliament without meeting often cannot hold the executive accountable.
- Passage of the **Women's Reservation Bill** (108th amendment) reserving 33% of all seats in Parliament and State legislatures for women.
- India needs a systemic approach for legislative engineering and prioritization.
- A constitution committee can be appointed to look in to the matters related to constitutional amendments proposed.
- **The Anti-Defection Act needs to be recast**, and used only in the most exceptional circumstances, while allowing MPs free rein on their self-expression.

- The **concept of a free vote allowing MPs to vote as they wish** on particular legislative items.
- Investing in Parliament's **intellectual capital is necessary** and additional budgetary support should be provided.
- An institutionalized process is necessary to raise quality and rigour associated with the budget scrutiny process.

Source: [https://www.youtube.com/watch?v=6791q8XGj\\_c](https://www.youtube.com/watch?v=6791q8XGj_c)

## 2. SIXTH SCHEDULE & INNER LINE PERMIT

### Introduction:

- In the wake of massive protests in the Northeast over the Citizenship Amendment Act, several references have been made to the Inner Line Permit System in large parts of the region. On December 19, the Meghalaya Assembly unanimously adopted a resolution urging the Centre to implement Inner Line Permit in the state. Earlier on December 11, the inner line permit regime was extended to Manipur with President Ram Nath Kovind signing the order to this effect. The **concept of the Inner Line Permit comes from the colonial area. Under the Bengal Eastern Frontier Regulation Act, 1873**, the British framed regulations restricting the entry and regulating the stay of outsiders in designated areas.
- **The system is in force in four Northeastern states — Arunachal Pradesh, Nagaland, Mizoram and now Manipur** — and no Indian citizen can visit any of these states unless he or she belongs to that state, nor can he or she overstay beyond the period specified in the ILP. In addition, the Sixth Schedule of the Constitution provides for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram to safeguard the rights of the tribal population in these states.
- The origin of sixth schedule can be traced back to policy of exclusion of the British Government in the colonial period. Under the Govt. of India Act, 1935, the hill areas of Assam were divided into two categories—**Excluded and Partially Excluded Areas** and remained outside the process of development. After Independence, there were demands for regional autonomy and better status within the constitutional framework from the tribes of the hill areas of Assam. The Interim Government of India was sensitive to the political aspirations of the tribal people of the hill areas of Assam in the background of assurances given by the outgoing British rulers. An advisory committee on Fundamental Rights of Minorities in the Tribal Areas was constituted in May 1946 by the Constituent Assembly of India. One of the sub-committees constituted by the Advisory Committee was the Northeast Frontier (Assam) Tribal and Excluded Areas Sub-Committee under the chairmanship of Assam Premier, **Gopinath Bordoloi. The recommendation made on the basis of the observation made by the subcommittee became the substance of the sixth Schedule.**
- After independence these areas got special administrative machinery in the form of the Sixth Schedule which provided for **District and Regional Councils** for administration of these erstwhile excluded areas. These institutions were expected to integrate these areas with the modern system of administration while preserving the traditional autonomy and local self-governing institutes of the tribal people. The provision of six schedules however resulted in violence, displacement and loss of trust between different communities.

### 6th schedule:

The Sixth Schedule of the Constitution deals with the administration of the tribal areas in the four northeastern states of Assam, Meghalaya, Tripura and Mizoram as per **Article 244**.

- **The governor is empowered to** organise and re-organise the autonomous districts.
- If there are different tribes in an autonomous district, **the governor can divide the district into several autonomous regions.**
- **Composition:** Each autonomous district has a district council consisting of **30 members**, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.
- **Term:** The elected members hold office for a **term of five years** (unless the council is dissolved earlier) and nominated members hold office during the pleasure of the governor.
- Each autonomous region also has a **separate regional council.**
- **Powers of councils:** The district and regional councils administer the areas under their jurisdiction. They can make laws on certain specified matters like land, forests, canal water, shifting cultivation, village administration, inheritance of property, marriage and divorce, social customs and so on. But all such laws require the assent of the governor.

- **Village councils:** The district and regional councils within their territorial jurisdictions can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of high court over these suits and cases is specified by the governor.
- **Powers and functions:** The district council can establish, construct or manage primary schools, dispensaries, markets, ferries, fisheries, roads and so on in the district. It can also make regulations for the control of money lending and trading by non-tribals. But, such regulations require the assent of the governor. The district and regional councils are empowered to assess and collect land revenue and to impose certain specified taxes.
- **Exceptions:** The acts of Parliament or the state legislature do not apply to autonomous districts and autonomous regions or apply with specified modifications and exceptions.
- **The governor can appoint a commission to examine and report on any matter relating to the administration of the autonomous districts or regions.** He may dissolve a district or regional council on the recommendation of the commission.

#### Current Councils:

##### Assam

- Bodoland Territorial Council
- Karbi Anglong Autonomous Council
- Dima Hasao Autonomous District Council

##### Meghalaya

- Garo Hills Autonomous District Council
- Jaintia Hills Autonomous District Council
- Khasi Hills Autonomous District Council

##### Tripura

- Tripura Tribal Areas Autonomous District Council

##### Mizoram

- Chakma Autonomous District Council
- Lai Autonomous District Council
- Mara Autonomous District Council

#### 125<sup>th</sup> amendment bill:

It seeks to **increase the financial and executive powers of the 10 Autonomous Councils** in the Sixth Schedule areas of the northeastern region.

- The amendments provide for **elected village municipal councils**, ensuring democracy at the grassroot level.
- The **village councils will be empowered** to prepare plans for economic development and social justice including those related to agriculture, land improvement, implementation of land reforms, minor irrigation, water management, animal husbandry, rural electrification, small scale industries and social forestry.
- **The Finance Commission** will be mandated to recommend devolution of financial resources to them.
- **The Autonomous Councils** now depend on grants from Central ministries and the State government for specific projects. At least one-third of the seats will be reserved for women in the village and municipal councils in the Sixth Schedule areas of Assam, Mizoram and Tripura after the amendment is approved.

#### ILP:

- An Inner Line Permit is **a document that allows an Indian citizen to visit or stay in a state that is protected under the ILP system.**
- The ILP is **obligatory for all those who reside outside the protected states.**
  - Currently, **the Inner Line Permit is operational in Arunachal Pradesh, Mizoram and Nagaland and Manipur.**
  - **It can be issued for travel purposes solely.**
  - An ILP is **issued by the state government concerned.**
- **Origin of ILP:**
  - ILP's origin dates back to **the Bengal Eastern Frontier Regulations, 1873-** It prohibited "British subjects" or Indians from entering into these protected areas.
  - **After Independence, in 1950, the word "British subjects" was replaced by Citizens of India** and the focus of the ban on free movement was explained as a bid to protect tribal cultures in northeastern India.

### 3. SEVENTH SCHEDULE- CENTRE & STATE

#### Introduction:

- The **Constitution of India is the supreme law governing the country**. It frames fundamental political principles, procedures, practices, rights, powers, and duties of the government. The constitutional provisions in India on the subject of distribution of legislative powers between the Union and the States are defined under several articles and schedules. The **seventh schedule under Article 246 of the constitution deals with the division of powers** between the union and the states. It contains three lists Union List, State List and Concurrent List. The union list details the subjects on which Parliament may make laws while the state list details those under the purview of state legislatures. The concurrent list on the other hand has subjects in which both Parliament and state legislatures have jurisdiction. However the Constitution provides federal supremacy to Parliament on concurrent list items in case of a conflict.
- The constitutional provisions in India on the subject of distribution of legislative powers between the Union and the States are defined under several articles; the most important in this regard being specifically under **articles 245 & 246** of the Constitution of India. The Seventh Schedule to the Constitution of India defines and specifies allocation of powers and functions between Union & States. It contains three lists; i.e. 1) Union List, 2) State List and 3) Concurrent List.

#### Union List:

The Union List is a list of 100 (Originally 97) numbered items as provided in the Seventh Schedule to the Constitution of India. The Union Government or the Parliament of India has exclusive power to legislate on matters relating to these items. Few important items are:

- Defence of India
- Naval, military and air forces; any other armed forces of the Union.
- Delimitation of cantonment areas, local self-government
- Atomic energy and mineral resources necessary for its production.
- Industries declared by Parliament by law to be necessary for the purpose of defence or for the prosecution of war.
- Central Bureau of Intelligence and Investigation.
- Preventive detention for reasons connected with Defence, Foreign Affairs, or the security of India; persons subjected to such detention.
- War and peace.
- Citizenship, naturalisation and aliens.
- Pilgrimages to places outside India.
- Highways declared by or under law made by Parliament to be national highways.
- Shipping and navigation on inland waterways.
- Currency, coinage and legal tender; foreign exchange.
- Post Office Savings Bank.
- Trade and commerce with foreign countries import and export across customs frontiers definition of customs frontiers.
- Inter-State trade and commerce.
- Establishment of standards of weight and measure.
- Regulation of mines and mineral.
- Regulation of labour and safety in mines and oil-fields.
- Regulation and development of inter-State rivers and river
- Fishing and fisheries beyond territorial waters.
- The institutions known at the commencement of this Constitution as the National Library, the Indian Museum, the Imperial War Museum, the Victoria Memorial and the Indian War Memorial
- The institutions known at the commencement of this Constitution as the Benares Hindu University, the Aligarh Muslim University and the Delhi University.
- Elections to Parliament, to the Legislatures of States and to the offices of President and Vice-President; the Election Commission.
- Salaries and allowances of members of Parliament, the Chairman and Deputy chairman of the Council of States and the Speaker and Deputy Speaker of the House of the People.
- Constitution, organisation, jurisdiction and powers of the Supreme Court.

- Constitution and organisation (including vacations) of the High Courts.
- Jurisdiction and powers of all courts, except the Supreme Court.

**State List:**

The State List is a list of 61 (Originally 66) items in the Schedule Seven to the Constitution of India. The respective state governments have exclusive power to legislate on matters relating to these items. Few important items are:

- Public order but not including the use of any naval, military or air force or any other armed force of the union.
- Police
- Officers and servants of the High Court
- Prisons, reformatories, Borstal institutions
- Local government
- Public health and sanitation; hospitals and dispensaries.
- Pilgrimages, other than pilgrimages to places outside India.
- Intoxicating liquors, that is to say, the production, manufacture, transport, purchase and sale of intoxicating liquors.
- Libraries, museums and other similar institutions
- Communications, that is to say, roads, bridges, ferries, and other means of communication not specified.
- Agriculture
- Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice.
- Fisheries
- Regulation of mines and mineral development subject
- Trade and commerce within the State subject
- Elections to the Legislature of the State
- Salaries and allowances of members of the legislature of the State, of the Speaker and Deputy Speaker of the Legislative Assembly and, if there is a Legislative Council, of the Chairman and Deputy Chairman thereof.
- Taxes on professions, trades, callings and employments.

**Concurrent List:**

There are 52 (Originally 47) items currently in the list: This includes items which are under joint domain of the Union as well as the respective States. However, given that there can be conflict when it comes to **laws passed by Parliament and state legislatures on the same subject, the Constitution provides for a central law to override a state law.**

- Criminal procedure
- Preventive detention for reasons connected with the security of a State, the maintenance of public order, or the maintenance of supplies and services essential to the community; persons subjected to such detention.
- Removal from one State to another State of prisoners
- Marriage and divorce
- Transfer of property other than agricultural land
- Bankruptcy and insolvency.
- Trust and Trustees.
- Evidence and oaths, recognition of laws, public acts and records, and judicial proceedings.
- Civil procedure
- Contempt of court, but not including contempt of the Supreme Court.
- Vagrancy; nomadic and migratory tribes.
- Lunacy and mental deficiency.
- Prevention of cruelty to animals.
- Adulteration of foodstuffs and other goods.
- Drugs and poisons
- Economic and social planning.
- Trade unions, industrial and labour disputes.
- Social security and social insurance; employment and unemployment.
- Welfare of labour

- Education
- Legal, medical and other professions.
- Relief and rehabilitation of persons displaced from their original place of residence
- Charities and charitable institutions
- Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting men, animals or plants.
- Price control.
- Newspapers, books and printing presses.
- Archaeological sites
- Stamp duties.

#### **Transferred Subjects:**

Through the 42<sup>nd</sup> Amendment Act of 1976, Five subjects were transferred from State to Concurrent List. They are:

- Education
- Forests
- Weights & Measures
- Protection of Wild Animals and Birds
- Administration of Justice

#### **Debate over Centralisation of power:**

- Since 1950, the Seventh Schedule of the Constitution has seen a number of amendments. The Union List and Concurrent List have grown while subjects under the State List have gradually reduced.
- **The 42nd Amendment Act** was perhaps one of the most controversial. Effected in 1976 during the Emergency by then Prime Minister Indira Gandhi, the amendment restructured the Seventh Schedule ensuring that State List subjects like education, forest, protection of wild animals and birds, administration of justice, and weights and measurements were transferred to the Concurrent List.
- Former Tamil Nadu Chief Minister CN Annadurai was one of the first **to advocate for state autonomy and federalism at the Centre**. "It will be sufficient if the Centre retains only such powers as are necessary for preserving the unity and integrity of the country, leaving adequate powers to the states," he said in 1967.
- Taking his idea forward, the Tamil Nadu government under M Karunanidhi constituted **the PV Rajamannar Committee** to look into Centre-State relations. While the Committee submitted its reports in 1971, the Tamil Nadu Legislative Assembly adopted a resolution three years later demanding that the Centre accept the state's views on state autonomy and the recommendations of the Rajamannar Committee. The Rajamannar Committee spurred other states to voice their opposition to the Centre's encroachment on subjects that were historically under the state's purview.
- PM Indira Gandhi had constituted **the Sarkaria Commission** to look into Centre-State relations. However, the recommendations of the Sarkaria Commission were not implemented by successive central governments.

## **4. CENTRE- STATE RIGHTS**

### **Introduction:**

- Some of the opposition-ruled states have declared they will not implement the changes in the Citizenship Act. Kerala, Punjab, West Bengal and Chhattisgarh have claimed they will block implementation of the CAA in their states. Madhya Pradesh Chief Minister has also indicated that his government is against the law.
- Meanwhile, the Maharashtra government will take a decision on the implementation of the Citizenship Amendment Act only after the Supreme Court hears a bunch of petitions challenging the legislation.
- On the other hand Defence minister Rajnath Singh said the threat by some states **not to implement the Citizenship Amendment Act (CAA) is a challenge to India's federal structure as the legislation has been passed by Parliament and is binding on all states after the presidential assent**.

### **Tussle between centre and state over citizenship:**

- As a growing number of state governments refuse to implement the contentious Citizenship Amendment Act on the grounds that it is an attempt by the ruling BJP **to strip the country of its secular credentials**, the Centre has pointed out they do not have a choice in the matter as the matter of citizenship comes under the union list.

- The official pointed out that in the **seventh schedule of the Constitution**, there are three lists. While the states have a say on matters in the state and concurrent lists, any legislation passed by the Parliament on a subject in the union list will have to be implemented throughout the country.
- Defence, External Affairs, Railways, Naturalisation and Citizenship are some of the subjects in the union list, which has 97 items.
- While Bengal CM had voiced her opposition to the Citizenship (Amendment) Bill even before it was passed by the Parliament, her counterparts in Kerala and Punjab said they will not allow the law be implemented in their state.
- The controversial bill, which for the first time offers a legal route to gain Indian citizenship on the basis of religion, had received the presidential nod and came into force with immediate effect.
- Terming the bill as an attack on the secular and democratic character of India, Kerala Chief Minister said that his state has no place for such an “unconstitutional” law.
- The law makes it easier for non-Muslim migrants from Bangladesh, Pakistan and Afghanistan to obtain Indian citizenship. It has been accused by rights groups and opposition parties of being discriminatory and violating the constitutional right to equality.
- The President’s assent for it was given despite massive protests in the northeast, particularly Assam, which has prompted the governments there to impose curfew in several towns and cities and call in the army to control the situation.
- Punjab CM said it will block the “unconstitutional” bill from being implemented in the state.
- Madhya Pradesh and Chhattisgarh governments have also indicated that they would not implement the law. Sources in the MP government said the states are aware of the constitutional position, but argued that the role of the state can’t be negated completely. “Civil disobedience is a tool available to us,” an official said.

#### **Why legislation passed by the parliament binding on all states?**

- As far the federal structure is concerned, we should be clear about its primary definition as per Indian context of federal structure.
- There are debated whether our constitution is **quasi federal, federal or largely unitary and partly federal**.
- For all practical purposes, we will have to take a look at **chapter 5,6 and 11**.
- Chapter 5 deals with the union.
- Chapter 6 deals with states.
- Chapter 11 deals with relation between union and the states.
- If we put all this together one thing the constitution tries to do is to divide the territory between union and states and some portion where there is an overlap, it leads to concept of 3 lists.
- Supervisory aspects of that of the state subjects items lies with centre only.
- It could have over-riding powers too in certain circumstances.
- It is possible to get the state under **President’s rule when the state chooses to violate the constitution** and that effectively describes the hierarchy between union and the states.
- GOI 1935 act which said Indian is federation of state, in the constitution it says union of states.
- The issue of question i.e citizenship, the union legislature rules here.
- Anyone who chooses to violate the central legislature with respect to citizenship will effectively invite certain mechanisms which results in imposition of President’s rule in violation of the constitution.
- It goes beyond law and order, it is the **question of integrity, sovereignty**, so if union is not able to impose its will over the states on the fundamental topic of citizenship, it is the violation of constitution.

#### **Why are the opposition ruled states threatening not to implement the act?**

- Although the bill is passed by the parliament, the states argue that **pre-consultation was not done by the government**.
- They have not taken the **consensus of the states**.

#### **What are the rights of the states in the federal structure?**

- This would fall essentially into the legislature part and some part in the executive.
- Citizenship falls in the union list (item 170).
- The states have to implement it or else it is breakdown of constitutional mechanism.
- The states politically may only delay the enactment on the order saying law and order on the ground is not permitting implementation.
- The states do not have say to implement the act enacted by the parliament.

### Constitution says about citizenship:

- It fully falls within the purview of the union and states just have to implement it.
- It is the **centre who gives the citizenship and not the states.**
- States do not have much role except to identify the beneficiaries.
- **NRC falls within the domain of Foreigner Act and citizenship between article 5 to 11 and Citizenship Act.**
- Various committees have said there should be a cordial relation between centre and states.
- Nothing should be implemented forcibly.

### Way Forward:

- Constitution is supreme and everybody is bound to it.
- The real problem is **mis-information about CAA and NRC.** The government should conduct seminars should spread the real intant of the bill.
- Call for National Advisory Council and **discuss with all CM's and take them under consideration.**
- Lots of **misgivings should be done away** with the government.

## 5. CITIZENSHIP AMENDMENT BILL

### Introduction:

- The Union Cabinet has cleared the Citizenship (Amendment) Bill that seeks to grant citizenship to non-Muslim refugees from Pakistan, Bangladesh and Afghanistan if they faced religious persecution there. The bill seeks to **amend the Citizenship Act, 1955**, in order to grant Indian nationality to Hindus, Sikhs, Buddhists, Jains, Parsis and Christians who come to India after facing religious persecution in Bangladesh, Pakistan and Afghanistan.
- Over the past weeks, the home ministry has held marathon talks with leaders and stakeholders. A large section of people and organisations in the northeast have opposed the bill. Congress, Trinamool Congress, Communist Party of India (Marxist) and a few other political parties have been steadfastly opposing the bill, claiming that citizenship can't be given on the basis of religion. The bill to amend the Citizenship Act, 1955, is introduced in the Parliament in this session.

### Citizenship (Amendment) Bill 2019:

- **Definition of illegal migrants**
  - The Citizenship Act, 1955 prohibits illegal migrants from acquiring Indian citizenship.
  - The Bill amends the Act to provide that the following minority groups will not be treated as illegal migrants: Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan.
  - However, to get this benefit, they must have also been exempted from the Foreigners Act, 1946 and the Passport (Entry into India) Act, 1920 by the central government.
- **Consequences of acquiring citizenship:** The Bill says that on acquiring citizenship: (i) such persons shall be deemed to be citizens of India from the date of their entry into India, and (ii) all legal proceedings against them in respect of their illegal migration or citizenship will be closed.
- **Exception:** Further, the Bill adds that the provisions on citizenship for illegal migrants **will not apply to the tribal areas** of Assam, Meghalaya, Mizoram, or Tripura, as included in the Sixth Schedule to the Constitution. These tribal areas include Karbi Anglong (in Assam), Garo Hills (in Meghalaya), Chakma District (in Mizoram), and Tripura Tribal Areas District. It will also **not apply to the areas under the Inner Line** under the Bengal Eastern Frontier Regulation, 1873. The Inner Line Permit regulates visit of Indians to Arunachal Pradesh, Mizoram, and Nagaland.
- **Citizenship by naturalization**
  - The 1955 Act allows a person to apply for citizenship by naturalisation if he meets certain qualifications.
  - One of these is that the person must have resided in India or served the central government for a certain period of time: (i) for the 12 months immediately preceding the application for citizenship, and (ii) for 11 of the 14 years preceding the 12-month period.
  - For people belonging to the same six religions and three countries, **the Bill relaxes the 11-year requirement to five years.**

- **Cancellation of registration of Overseas Citizen of India cardholder**
  - The 1955 Act provides that the central government may **cancel registration of OCIs on certain grounds**, Including: (i) if the OCI had registered through fraud, or (ii) if within five years of registration, the OCI was sentenced to imprisonment for two years or more.
  - The Bill adds one more ground for cancelling registration, that is, if the OCI has violated any **law** in the country.

#### **Need for the bill:**

- There are thousands of Hindus, Sikhs, Jains, Buddhists, Christians and Parsis who have entered India after **facing religious persecution** in countries like Pakistan, Bangladesh and Afghanistan without any valid document.
- All the reports clearly say that there is **threat perception** on the basis of what is perceived as an unfinished agenda.
- These refugees have been facing difficulty in getting Long Term Visa (LTV) or Citizenship
- The existing Citizenship law does not allow anyone granting Indian nationality if he or she can not show proof of documents on country of birth and therefore they have to stay at least 12 years in India.
- Those Hindus who are persecuted due to religion has no other place to go except India.

#### **Issues surrounding the bill:**

- It makes **distinction on the basis of religion**.
- The proposed amendment is, however, unprecedented, in the sense that never before has religion been specifically identified in the citizenship law as the ground for distinguishing between citizens and non-citizens.
- Civil society groups are opposing the bill, terming it “communally motivated humanitarianism.”
- Since **Article 14** of the Constitution guarantees equality to all persons, citizens and foreigners, differentiating between people on the grounds of religion would be in violation of the constitution.
- The Bill will stamp these countries as institutions of religious oppression and worsen bilateral ties.
- The proposed law not only provides citizenship rights to such refugees, but greatly relaxes the procedure to avail of them.
- Assam has a major problem regarding infiltration of Bangladeshi illegal immigrants. this bill does not consider Bangladeshi Hindus as illegal immigrants.
- The implicit consequence of such a law is that people only from the Muslim community in Afghanistan, Pakistan and Bangladesh will be treated as illegal immigrants.
- Provides wide discretion to the government to cancel OCI registrations for both major offences like murder, as well as minor offences like parking in a no-parking zone or jumping a red light.

#### **Legal fallacies of the proposed law:**

- The Citizenship (Amendment) Bill also fails on the tenets of international refugee law.
- Although India is not a signatory to the 1951 UN Refugee Convention, granting refuge based on humanitarian considerations is arguably a norm of customary international law.
- Shelter to individuals of a select religion defeats not only the intention but also the rationality of refugee policy.
- Muslims are considerably discriminated against and exploited in the neighbouring countries of China, Sri Lanka and Myanmar. The 36,000 Rohingyas Muslims from Myanmar who fled to India in the wake of 2015 insurgency is just one such example.
- Rohingya Muslims fleeing persecution in Myanmar are not offered such hospitality. The only way for them to live in India is by obtaining a valid visa and refugee status.

#### **Consequences of these changes:**

- Introduced religion as a new principle into the citizenship law.
- By marking out Muslims as a residual category, it reiterates the narrative of partition, without incorporating the principles of inclusion which were present in both the constitution of India and the Citizenship Act of 1955 at its inception.
- While religious persecution is a reasonable principle for differentiation, it cannot be articulated in a manner that dilutes the republican and secular foundations of citizenship in India, and goes against constitutional morality.

### Citizenship bill and indigenous people's interests:

The proposed legislation has polarised the Northeast and triggered a process of social and political realignment. Most disquietingly, it threatens to expose the faultlines that had led to the **rise of sub-nationalist politics** in the region in the 1980s. The bill is leading to following issues in North east:

- The Citizenship Amendment Bill has not been sitting well with the Assamese as it **contradicts the Assam Accord of 1985**, which clearly states that illegal migrants heading in from Bangladesh after March 25, 1971, would be deported.
- There are an estimated **20 million illegal Bangladeshi migrants in Assam** and they have inalienably **altered the demography** of the state, besides putting a severe strain on the state's resources and economy.
- Mizoram fears **Buddhist Chakmas and Hindu Hajongs from Bangladesh** may take advantage of the Act.
- Meghalaya and Nagaland are **apprehensive of migrants of Bengali stock**.
- Groups in Arunachal Pradesh fear the new rules may benefit **Chakmas and Tibetans**.
- Manipur wants the **Inner-line Permit System** to stop outsiders from entering the state.

### Conclusion:

- India has to undertake a **balancing act here**. India's citizenship provisions are derived from the perception of the country as a secular republic. In fact, it is a refutation of the two-nation theory that proposed a Hindu India and a Muslim Pakistan.
- Independent India adopted a Constitution that rejected discrimination on the basis of religion and the birth of Bangladesh undermined the idea that religion could be the basis of a national community. Also we need to **balance the civilization duties to protect those who are prosecuted** in the neighbourhood.

Source : <https://www.youtube.com/watch?v=n4hEN3Ggdsg>

## 6. ELECTION COMMISSION: COLLEGIUM SYSTEM & APPOINTMENTS

### Introduction:

- The Supreme Court on Tuesday agreed to hear after four weeks a public interest litigation seeking that the chief election commissioner and election commissioners be appointed by a three-member collegium. The collegium will comprise the Prime Minister, the leader of opposition in Lok Sabha and the Chief Justice of India.
- A bench comprising Chief Justice S. A. Bobde and Justices B.R. Gavai and Surya Kant took note of submissions that the plea needed an urgent hearing. Advocate Ashwini Upadhyay filed the PIL seeking to ensure more autonomy for the chief election commissioner's office and election commissioners. The plea has also sought an independent secretariat for the Election Commission of India and that it should also be given the power to make rules.

### ECI:

- The Election Commission of India is an autonomous constitutional authority responsible for administering Union and State election processes in India.
- The body administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.

### Article 324:

Superintendence, direction and control of elections to be vested in an Election Commission

- (1) The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of, all elections to Parliament and to the Legislature of every State and of elections to the offices of President and Vice President held under this Constitution shall be vested in a Commission (referred to in this Constitution as the Election Commission)
- (2) The Election Commission shall consist of the Chief Election Commissioner and such number of other Election Commissioners, if any, as the President may from time to time fix and the appointment of the Chief Election Commissioner and other Election Commissioners shall, **subject to the provisions of any law made** in that behalf by Parliament, be made by the President
- (3) When any other Election Commissioner is so appointed the Chief Election Commissioner shall act as the Chairman of the Election Commission
- (4) Before each general election to the House of the People and to the Legislative Assembly of each State, and before the first general election and thereafter before each biennial election to the Legislative Council of each State having such Council, the President may also appoint after consultation with the Election

Commission such Regional Commissioners as he may consider necessary to assist the Election Commission in the performance of the functions conferred on the Commission by clause ( 1 )

- (5) Subject to the provisions of any law made by Parliament, the conditions of service and tenure of office of the Election Commissioners and the Regional Commissioners shall be such as the **President may by rule determine**; Provided that the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Court and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment: Provided further that any other Election Commissioner or a Regional Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner
- (6) The President, or the Governor of a State, shall, when so requested by th Election Commission, make available to the Election Commission or to a Regional Commissioner such staff as may be necessary for the discharge of the functions conferred on the Election Commission by clause ( 1 )

#### Other articles related to ECI:

- Article 325: No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex.
- Article 326: Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.
- Article 327: Power of Parliament to make provision with respect to elections to Legislatures.
- Article 328: Power of Legislature of a State to make provision with respect to elections to such Legislature.
- Article 329: Bar to interference by courts in electoral matters.

#### Demand since long time:

- It has been a very old demand since the ECI is into existence.
- **Dinesh Goswami Committee** had suggested it too.
- Based on it, **70<sup>th</sup> Constitutional Amendment Bill, 1990** was introduced in the Parliament.
- But till date no law has been in place.

#### Present situation:

- Constitution has not prescribed any method.
- It is the **executive power of the President**.
- The parliament has the power to make law regulating the terms and conditions.

#### Appointment needs overhaul:

- Even in the constituent assembly debates this issue was taken up.
- Article 324(2) as stated above states that the President shall, with aid and advice of Council of Ministers, appoint CEC and ECs, till Parliament enacts a law fixing the criteria for selection, conditions of service and tenure.
- But a **law has not been enacted** for the purpose so far.
- Hence a PIL was filed in the Supreme Court seeking a fair and transparent procedure for appointment of CEC and ECs.
- The constituent assemble debates in which one of the suggestion said that President will appoint them with the consult of the Prime Minister with two third majority of the joint sitting.

#### Challenges:

- The fact remains that it is the **executive power** of the government and should that executive power be regulated.
- SC interprets any law on the basis of provisions of constitution and cannot with something extra.
- Similar demand for other bodies and posts like CAG, Attorney general, etc
- There is distinction between the position of a CEC & EC and the appointments to both the position may differ according to the task they perform.

#### Way Forward:

- **2<sup>nd</sup> ARC report** recommended that collegium headed by the Prime Minister with the Speaker of the Lok Sabha, the Leader of Opposition in the Lok Sabha, the Law Minister and the Deputy Chairman of the Rajya Sabha as members should make recommendations for the consideration of the President for appointment of the Chief Election Commissioner and the Election Commissioners
- **Law Commission 255<sup>th</sup> Report** on Electoral Reforms: Strengthening the office of the Election Commission of India recommended Making the appointment process of the Election Commissioners and the CEC consultative
- Similar **election and removal procedure** for CEC and Ecs.

- Expenses of ECI must be **charged expenditure on Consolidated Fund of India.**

## 7. VIOLENCE AGAINST WOMEN

### Introduction:

- Every year 25th November is observed as **International Day for the Elimination of Violence Against Women** and this year the theme is Generation Equality Stands Against Rape. Violence against women continues to be an obstacle to achieving equality, development, peace and fulfillment of women and girls' human rights.
- According to a **WHO report one in every three women and girls experience physical or sexual violence in their lifetime** most frequently by an intimate partner. As per the **NCRB data in India cruelty by husband or his relatives accounted for the highest number of cases recorded in the crime against women category in 2017.**
- Safety and security of women has been accorded top priority by the govt in India and several steps have been taken over the years to tackle this issue.

### **International Day for the Elimination of Violence against Women (IDEVAW)**

- *It is observed every year across the world on 25 November.*
- The aim is to **raise awareness about violence against women and girls**, end violence against women. It also seeks to show that prevention is possible against violence of women.
- The 2019 theme for the International Day for the Elimination of Violence Against Women is '**Orange the World: Generation Equality Stands Against Rape**'
- International Day for the Elimination of Violence against Women was instituted by **United Nations General Assembly (UNGA)** in December 1999.
- This day is commemorated in memory of **Mirabal sisters** who were three political activists from Dominican Republic. They were brutally assassinated during the Rafael Trujillo dictatorship (1930-1961) in 1960.

### **Violence against women- definition:**

- The **Declaration on the Elimination of Violence Against Women** issued by the UN General Assembly in 1993, defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."

### **Alarming Figures:**

- **1 in 3 women and girls** experience physical or sexual violence in their lifetime, most frequently by an intimate partner.
- Only 52% of women married or in a union freely make their own decisions about sexual relations, contraceptive use and health care.
- Worldwide, almost 750 million women and girls alive today were married before their 18th birthday; while 200 million women and girls have undergone female genital mutilation (FGM).
- 1 in 2 women killed worldwide were killed by their partners or family in 2012; while only 1 out of 20 men were killed under similar circumstances.
- 71% of all human trafficking victims worldwide are women and girls, and 3 out of 4 of these women and girls are sexually exploited.
- Violence against women is as serious a cause of death and incapacity among women of reproductive age as cancer, and a greater cause of ill health than traffic accidents and malaria combined.

### **How grave the situation is? Why we must eliminate violence against women?**

- Violence against women and girls (VAWG) is one of the most widespread, persistent and devastating **human rights violations** in our world today, remains largely unreported due to the impunity, silence, stigma and shame surrounding it.
- In general terms, it manifests itself in physical, sexual and psychological forms, encompassing:
  - Intimate partner violence (battering, psychological abuse, marital rape, femicide).
  - Sexual violence and harassment (rape, forced sexual acts, unwanted sexual advances, child sexual abuse, forced marriage, street harassment, stalking, cyber- harassment).
  - Human trafficking (slavery, sexual exploitation).
  - Female genital mutilation.
  - Child marriage.

- The violence which goes unnoticed apart of physical and sexual violence is the **emotional and mental violence** that women face.
- The biggest share of this violence goes to husband or in-laws.
- A lot of violence is also faced by girls at **workplace and at home**.
- Violence against women at home never gets accounted.
- Now, women have reached space but the **ground realities** are still down.
- Despite after women getting education, they continue to be considered as **unequal sex**.
- **Girls face discrimination even before they are born**.
- The **sex ratio** itself is the indicative of violence against girl foetus.

#### Legal Provisions:

- **Protection of Children from Sexual Offences (POCSO) law** was enacted to protect the minors. This is one of the first laws which is gender neutral.
- The **Indian Penal Code** has many stringent provisions in itself. After the **Nirbhaya case**, amendments were made in the code in 2013 on the recommendations of **Justice Verma committee**. The amendments have made the code further stringent.
- **The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act (POSH Act)** was enacted in 2013 as a comprehensive legislation to provide a safe, secure and enabling environment, free from sexual harassment, to every woman.

#### In what ways does it affect women who have faced it?

- The adverse psychological, sexual and reproductive health consequences of affect women at all stages of their life.
- For example, early-set educational disadvantages not only represent the primary obstacle to universal schooling and the right to education for girls; down the line they are also to blame for restricting access to higher education and even translate into limited opportunities for women in the labour market.
- While gender-based violence can happen to anyone, anywhere, some women and girls are particularly vulnerable – for instance, young girls and older women, women who identify as lesbian, bisexual, transgender or intersex, migrants and refugees, indigenous women and ethnic minorities, or women and girls living with HIV and disabilities, and those living through humanitarian crises.
- Violence against women continues to be an obstacle to achieving equality, development, peace as well as to the fulfillment of women and girls' human rights.
- The girl who faces any kind of violence carries it with her and it becomes the **generational thing**
- All in all, the promise of the Sustainable Development Goals (SDGs) – to leave no one behind – cannot be fulfilled without putting an end to violence against women and girls.

#### Suggestions:

- Awareness about gender equality and women's rights should be instilled in boys and girls from a very early age in order to bring about a change in the mindset of the future generation.
- Stigma attached to victims of violence should be removed by conscientising the community through outreach programmes.
- Legal literacy camps should be conducted on a regular and systematic basis at the local community level.
- Domestic violence should be recognized as a health issue
- The prevalence and the health consequences of violence should be documented
- Proper **Counseling**
- There should be a **special court with a woman judge and magistrate** in each district to handle domestic violence cases
- Government should ensure proper **enforcement of existing laws**.
- Police should be trained to be respectful and courteous to women in distress.
- Media should be used to sensitise the officials and the public about violence so as to develop a positive attitude towards women in general, and women victims, in particular
- **Strengthening research and research capacity** to assess interventions to address partner violence.

#### Way Forward:

- We need to provide children with **greater parental guidance**.
- In families, there should also be a **relationship of authority and respect** between parents and their children.
- **Women should be respected at home**. When women are respected at home, then children also learn about the importance of respecting women. Parents cannot treat their sons and daughters differently.

- People should be made about **Zero FIR**.
- The state has to work towards making people aware of laws like POCSO Act, Protection of Women from Domestic Violence Act etc. The state should also make the penalties of not abiding by these laws clear to the public.
- **Gender-sensitization programmes** should also be started for males of family, police personnel, medical fraternity etc. Police apathy, especially when a woman approaches the police should be worked upon.
- Encourage and adopt **family focused practices that promote equal access for both girls and boys** to high quality education, and ensure opportunities to successfully complete schooling, and to making educational choices
- Students should be taught to engage in community activities so that they understand realities and also understand how to cope up with realities. Community get-togethers should also be encouraged so that people get to know each other. Neighbours should also get to know their neighbours. Community activities should be encouraged.

Source: [https://www.youtube.com/watch?v=vrgb2-hT\\_hE](https://www.youtube.com/watch?v=vrgb2-hT_hE)

## 8. MISSION INDRADHANUSH 2.0

### Introduction:

- Earlier this year, on October 2nd India marked the silver jubilee of its Pulse Polio campaign. The anti-polio campaign was launched 25 years ago for the first time in Delhi. It was later implemented as the Pulse Polio Campaign across the country. The result was that by 2011, India had completely eradicated polio.
- The Government set in motion an even more powerful and intensive vaccination drive. This one is aimed at preventing as many eight diseases under the Intensified Mission Indradhanush 2.0. This government's flagship scheme is aimed at immunizing children under the age of 2 years and pregnant women. The vaccines will cover diphtheria, whooping cough, tetanus, polio, tuberculosis, measles, meningitis and Hepatitis B. Select areas will also be provided vaccines for Japanese encephalitis and hemophilus influenza. The IMI 2.0 aims to achieve targets of full immunization coverage in 272 districts spread over 27 States.
- Immunization Programme in India was introduced in **1978** as '**Expanded Programme of Immunization**' (EPI) by the Ministry of Health and Family Welfare, Government of India. In **1985**, the programme was modified as '**Universal Immunization Programme**' (UIP) to be implemented in phased manner to cover all districts in the country by 1989-90 with the one of largest health programme in the world. UIP become a part of Child Survival and Safe Motherhood Programme in 1992.
- Since 1997, immunization activities have been an important component of National Reproductive and Child Health Programme and is currently one of the key areas under National Health Mission (NHM) since 2005. Despite being operational for many years, UIP has been able to fully immunize only 65% children in the first year of their life.

### Mission Indradhanush

- It was launched by the **Ministry of Health and Family Welfare**, Government of India on December 25, 2014.
- Between 2009-2013 immunization coverage has increased from 61% to 65%, indicating **only 1% increase in coverage every year**.
- To accelerate the process of immunization by covering 5% and more children every year, Indradhanush mission has been adopted to achieve target of full coverage by 2020.

### Objective

- The Mission Indradhanush aims to cover all those children by 2020 who are either unvaccinated, or are partially vaccinated against vaccine preventable diseases.
- India's Universal Immunisation Programme (UIP) provide free vaccines against 12 life threatening diseases, to 26 million children annually.
- The Universal Immunization Programme provides life-saving vaccines to all children across the country free of cost to protect them against Tuberculosis, Diphtheria, Pertussis, Tetanus, Polio, Hepatitis B, Pneumonia and Meningitis due to Haemophilus Influenzae type b (Hib), Measles, Rubella, Japanese Encephalitis (JE) and Rotavirus diarrhoea. (Rubella, JE and Rotavirus vaccine in select states and districts).

## Implementation

- Focused and systematic immunization drive will be through a “catch-up” campaign mode where the aim is to cover all the children who have been left out or missed out for immunization.
- Also the pregnant women are administered the tetanus vaccine, ORS packets and zinc tablets are distributed for use in the event of severe diarrhoea or dehydration and vitamin A doses are administered to boost child immunity.
- Mission Indradhanush Phase I was started as a weeklong special intensified immunization drive from 7th April 2015 in 201 high focus districts for four consecutive months. During this phase, more than 75 lakh children were vaccinated of which 20 lakh children were fully vaccinated and more than 20 lakh pregnant women received tetanus toxoid vaccine.
- The Phase II of Mission Indradhanush covered 352 districts in the country of which 279 are medium focus districts and remaining 73 are high focus districts of Phase-I. During Phase II of Mission Indradhanush, four special drives of weeklong duration were conducted starting from October 2015.
- Phase III of Mission Indradhanush was launched from 7 April 2016 covering 216 districts. Four intensified immunization rounds were conducted for seven days in each between April and July 2016, in these districts.
- Overall, in the first three phases, 28.7 lakh immunisation sessions were conducted, covering 2.1 crore children, of which 55 lakh were fully immunised. Also, 55.9 lakh pregnant women were given the tetanus toxoid vaccine across 497 high-focus districts.
- **Since the launch of Mission Indradhanush, full immunisation coverage has increased by 5 per cent to 7 per cent.**
- Mission Indradhanush has resulted in a 6.7 % annual expansion in the immunization cover.
- Phase IV of Mission Indradhanush was launched from 7 February 2017 covering the North-eastern states of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura. It has been rolled out in rest of the country during April 2017.
- The four phases of Mission Indradhanush have reached to more than 2.53 crore children and 68 lakh pregnant women with life-saving vaccines.
- The Ministry is being technically supported by WHO, UNICEF, Rotary International and other donor partners. Mass media, interpersonal communication, and sturdy mechanisms of monitoring and evaluating the scheme are crucial components of Mission Indradhanush.

## Strategy for Mission Indradhanush

- Mission Indradhanush will be a national immunization drive to strengthen the key functional areas of immunization for ensuring high coverage throughout the country with special attention to districts with low immunization coverage.

The broad strategy, based on evidence and best practices, will include four basic elements-

- **Meticulous planning of campaigns/sessions at all levels:** Ensure revision of microplans in all blocks and urban areas in each district to ensure availability of sufficient vaccinators and all vaccines during routine immunization sessions.
- **Effective communication and social mobilization efforts:** Generate awareness and demand for immunization services through need-based communication strategies and social mobilization activities.
- **Intensive training of the health officials and frontline workers:** Build the capacity of health officials and workers in routine immunization activities for quality immunization services.
- **Establish accountability framework through task forces:** Enhance involvement and accountability/ownership of the district administrative and health machinery by strengthening the district task.

## Intensified Mission Indradhanush (IMI):

- The Intensified Mission Indradhanush (IMI) has been launched by the Government of India to reach each and every child under two years of age and all those pregnant women who have been left uncovered under the routine immunisation programme.
- The special drive was to focus on improving immunization coverage in select districts and cities to ensure full immunization to more than 90% by December 2018.
- Intensified Mission Indradhanush will cover low performing areas in the selected districts and urban areas.
- Intensified Mission Indradhanush will have inter-ministerial and inter-departmental coordination.

### Mission Indradhanush 2.0:

- The government's flagship scheme is aimed at immunizing children under the age of 2 years and pregnant women.
- The Intensified Mission Indradhanush 2.0 has been launched to focus on 272 districts of 27 states and 652 blocks of Uttar Pradesh and Bihar among hard-to-reach and tribal populations.
- The program aims to escalate efforts to achieve the goal of attaining 90% national immunization coverage across India.
- The Intensified Mission Indradhanush immunization drive will consist of four rounds of immunization. The program will be completed by March 2020.
- The salient features of IMI 2.0 are immunization activity will be in four rounds over seven working days, excluding the RI days, Sundays and holidays. Enhanced immunization session with flexible timing, mobile session and mobilization by other departments," an official statement said.
- Mission Indradhanush 2.0 Highlights:
  - Enhanced immunization session with flexible timing, mobile session & mobilization by other departments
  - Enhanced focus on left outs, dropouts, and resistant families & hard to reach areas
  - Focus on urban, underserved population and tribal areas
  - Intensified Mission Indradhanush to be conducted till March 2020

Source: <https://www.youtube.com/watch?v=sAfCkG1OdHQ>

## 9. REGULATING NEWS ON DIGITAL PLATFORMS

### Introduction:

- The Information & Broadcasting Ministry has proposed to introduce a new set of regulations to replace the archaic Press and Registration of Books (PRB) Act, 1867 that governs the registration of print and publishing industry in the country. Through the **draft Registration of Press and Periodicals (RPP) Bill, 2019**, the Ministry has proposed to **bring digital media in the new registration regulations' ambit**, do away with prosecution provisions of imprisonment of publishers and to simplify implementation of the registration process through a newly-created Press Registrar General.
- It has therefore proposed to remove existing requirements of furnishing of declaration by publishers and printers before the District Magistrate and its subsequent authentication. The draft Bill states that, "publishers of news on digital media shall register themselves with the Registrar of Newspapers of India".
- In addition, it is proposing a simple system of registration of e-papers. It defines news on digital media as the news in digitised format that can be transmitted over the internet, computer or mobile networks and includes text, audio, video and graphics.

### Salient features of the draft "Registration of Press and Periodicals Bill, 2019"

- The Bill proposes to remove the existing provisions relating to registration of Books and matters connected thereto.
- The Bill proposes to do away with the existing procedure of furnishing of declaration by publishers/printers before the District Magistrate and its subsequent authentication.
- The process of title and registration of periodicals including newspapers is proposed to be effected centrally by the Press Registrar General as a simultaneous process.
- The Bill enables the Central Government and the State Government to frame appropriate rules/regulations to regulate the criteria/ conditions for issuing Government advertisements in newspapers, accreditation of newspapers and such other facilities for newspapers.
- The Bill proposes to have a simple system of registration of e-papers.
- The Bill proposes to do away with the earlier provision under the PRB Act, 1867 of prosecution of publishers.

### Digital media:

- The draft Bill states that publishers of news on digital media shall register themselves with the Registrar of Newspapers of India.
- In addition, it is proposing a simple system of registration of e-papers.
- It defines news on digital media as the news in digitised format that can be transmitted over the internet, computer or mobile networks and includes text, audio, video and graphics.

- The Bill also enables the Central and the State governments to frame appropriate rules/ regulations to regulate the criteria/ conditions for issuing government advertisements in newspapers, accreditation of newspapers and other facilities for newspapers,” the Ministry stated in the draft bill

#### **Registration of Books:**

- In another key amendment, the draft bill also proposes to remove the existing provisions relating to registration of Books.
- In the draft bill, cancellation or suspension of registration norms now also include a provision that states that if the publisher has been convicted by any court for an offence, “ involving terrorist act or unlawful activity,” it may result in cancellation of registration.

#### **The current act:**

- The current Press and Registration of Books (PRB) Act 1867 was squarely aimed at curbing what the British Government thought was the role of the press in the “revolt of 1857”.
- But it was clever in its enactment because it only pertained to presses in English. It was seen as being regulatory in nature because a more stringent act, the Vernacular Press Act of 1878, was waiting in the wings.
- It is strange that since India got its freedom, the PRB of 1867 was never abandoned by successive governments.
- It is evident that the act helped governments control the press, regulate book publishing and inadvertently curb the freedom of speech and expression. The act by itself appears to be fairly liberal and clearly designed to ‘help preserve news’. This is what is apparent from the introduction of the act which
- With successive amendments, the act has been modified but its overall effect remains a problem in several quarters. Book publishing has not really been. While there have been stray cases of ambitious officers pursuing publishers, compliance has been simple.
- It has been restricted to identifying the publisher by name, the press where the book is printed.
- There is another critical provision – depositing copies with the National Libraries across the countries.

#### **The impact on Journal Publishing in India**

- The provisions for registering and publishing periodicals, however, has had a direct and negative impact on Indian Higher Education publishing when one examines the publishing of Academic Peer Reviewed Journals.
- These journals are not defined as carrying news or any sort of current affairs as envisioned and enshrined in the PRB Act (along with its various amendments). And yet all academic journals are subject to the same lengthy, bureaucratic process that is needed to approve a weekly or even a fortnightly NEWS magazine. The law, the lawmakers and the law enforcers don’t make any allowance for any distinction between academic journals and magazines.

#### **Has the 1867 act outlined its utility?**

- There are huge changes in news industry and print media.
- There has been entire electronic revolution, radio revolution and now digital revolution but we are continuing with the same act.
- There has been **expansion in digital news economy**.

#### **Need for regulations and way forward:**

- The speed and reach of social media has meant that subversive rumours and fake news get aired with impunity.
- This has resulted in serious **law and order problems**.
- In India, this phenomenon has assumed dangerous proportions. **Fake news** on WhatsApp has led to lynchings and communal flare-ups in many parts of the country. This menace needs to be curbed.
- It will bring **level playing fields** for all kinds of players.
- It will give recognition to serious journalists and media houses.
- There needs to be proper **regulation, recognition and responsibility**.

Source: <https://www.youtube.com/watch?v=oX4k2NFKj9U>

## 10. THE ARMS (AMENDMENT) BILL, 2019

### Introduction:

- Last week, Home Minister Amit Shah introduced the Arms (Amendment) Bill, 2019 and it has been passed by both the houses. The Bill seeks to amend the **Arms Act, 1959** by **reducing the number of firearms allowed per person from the current three, to just one**. It also **proposes new categories of offences and an increase in the penalty for certain offences**.
- The proposed capping of firearms has met with resistance from both ruling and opposition leaders amid reports of some MPs, including ex-royals, trying to persuade the government to refer the bill to a House committee.
- In a letter to Prime Minister Narendra Modi, Punjab chief minister Captain Amarinder Singh has argued that if some states are keen to reduce the number of weapons, they may be allowed to do so without prejudice to the other states.
- The Punjab government is said to support most of the proposed amendments in the bill but has reservations about restricting the number of firearms a licensee can possess to one.

### Features:

- **License for acquiring firearms:**
  - Under the Act, a **license must be obtained** to acquire, possess, or carry any firearm. A person can obtain a license for up to three firearms (with certain exceptions, such as for licensed firearms dealers).
  - **The Bill reduces the number of permitted firearms from three to one**. This includes licenses given on inheritance or heirloom basis.
  - The Bill provides a time period of one year to deposit the excess firearms with the officer-in-charge of the nearest police station or with a licensed firearm dealer as specified. If the owner is a member of the armed forces, the firearm may be deposited with a unit armoury.
  - The excess firearms will be delicensed within 90 days from the expiry of the one-year period. The Bill also increases the **duration of the validity of a firearm license from three years to five years**.
- **Ban on firearms:**
  - The Act bans manufacture, sale, use, transfer, conversion, testing or proofing of firearms without license. It also prohibits shortening of firearm barrel or conversion of imitation firearms into firearms without a license.
  - The Bill additionally prohibits obtaining or procuring un-licensed firearms, and the conversion of one category of firearms to another without a license. It also allows members of rifle clubs or associations to use any firearm for target practice instead of only point 22 bore rifles or air rifles.
- **Increase in punishment:**

The Bill amends the punishment in relation to several offences. The Act specifies the punishment for:

  - dealing in un-licensed firearms, including their manufacture, procurement, sale, transfer, conversion,
  - the shortening or conversion of a firearm without a licence, and
  - import or export of banned firearms.

**The punishment for these offences is between three years and seven years, along with a fine.** The Bill increases the punishment to between seven years and life imprisonment, along with a fine.

  - The Act punishes acquisition, possession or carrying of prohibited ammunition **without a license, with imprisonment between five and ten years, along with fine**. The Bill increases the punishment to imprisonment between seven and 14 years, along with fine. A court may impose a punishment of lesser than seven years, with recorded reasons.
  - The Act also punishes dealing in prohibited firearms (including their manufacture, sale and repair) without a license, with imprisonment between seven years and life imprisonment, along with fine. The Bill increases the minimum punishment from seven years to 10 years. The punishment for cases in which the usage of prohibited arms and ammunition results in the death of a person has been revised from the existing punishment of death to death or life imprisonment, with fine.
- **New offences:**

The Bill adds new offences. These include:

  - forcefully taking a firearm from police or armed forces, punishable with imprisonment between 10 years and life imprisonment, along with fine,

- using firearms in a celebratory gunfire which endangers human life or personal safety of others, punishable with imprisonment of up to two years, or fine of up to one lakh rupees, or both. Celebratory gunfire refers to use of firearms in public gatherings, religious places, marriages or other functions to fire ammunition.
- The Bill also defines **offences committed by organised crime syndicates and illicit trafficking**. “Organised crime” refers to continuing unlawful activity by a person, either as a member of a syndicate or on its behalf, by using unlawful means, such as violence or coercion, to gain economic or other benefits. An organised crime syndicate refers to two or more persons committing organised crime. Possession of firearms or ammunition by a member of a syndicate, in violation of the Act, will be punishable with imprisonment between 10 years and life, along with a fine. This punishment will also apply to anyone dealing in un-licensed firearms (including its manufacture or sale), converting a firearm without license, or importing or exporting firearms without license, on behalf of a syndicate.
- The Bill defines illicit trafficking to include the trade, acquisition, sale of firearms or ammunitions into or out of India where the firearms are either not marked as per the Act or violate the provisions of the Act. Illicit trafficking is punishable with imprisonment between 10 years and life, along with a fine.
- **Tracking of firearms:**
  - The central government may make rules to track firearms and ammunition from manufacturer to purchaser to detect, investigate, and analyse illicit manufacturing and trafficking.

#### Analysis:

- The bill will Reduce firearms-related crime.
- India currently has around **35 lakh gun licenses**. Uttar Pradesh with 13 lakh gun license tops the list, followed by Jammu and Kashmir where 3.7 lakh people possess arms licences, most of which were taken in the name of personal security. The state of Punjab also has around 3.6 lakh active gun licences, most of which were issued between the 1980s and 1990s, during the peak of terrorism in the state.
- Punjab, which witnessed terrorism in 1980s and 1990s, has around 3.6 lakh active gun licences, most of which were issued during the two decades of strife.
- The Arms (Amendment) Bill, 2019 has been introduced to control the use and possession of weapons in the country, to reduce their rash and illegal usage, which can endanger another human being.
- The intentions of the bill are good but ground reality is quite different.
- Effective control over arms and ammunition is very important for safety and security in the country.
- CM of Punjab has said the state doesn't have a problem with any other provisions of the Act, but with the limit on firearm possession.
- He has written to the Centre urging it not to reduce the number “in view of the sensitive location and troubled history of the state”.
- The members of the Rajput community have opposed the proposed amendments.
- Small fractions of crimes are conducted by licensed arms holder, it is mainly by unlicensed one.
- It will help police to maintain law and order in a better way.
- Need to be inline with police reforms.

Link: <https://youtu.be/pv0nIR4lfbs>

## 11. PUBLIC PROPERTY & PROTEST

### Introduction:

- Supreme Court (SC) said it will hear all pleas related to the Jamia Milia Islamia clashes while issuing a stern warning to students to stop riots. Citing destruction of property amid anti-Citizenship Amendment Act protests in the national capital, Chief justice of India SA Bobde said, If violence and destruction of public property continues, we will not hear it. The development comes as several pleas have been filed after a violent clash between Delhi Police and Jamia students. Pleas on similar clashes in Aligarh Muslim University will also be heard by the Supreme Court. Meanwhile, protests were carried out in several places in West Bengal and Assam. At least 5 trains and three railway stations were torched in West Bengal. Similar scenes were witnessed in Assam as well.
- A large number of citizens are on the streets protesting the newly amended Citizenship Act. Their right to protect emerges from Article 19 (1)(a) of the Constitution. It gives all citizens the right “**to assemble peacefully and without arms**”. Citizens hitting the streets of cities across states against the Citizenship Amendment Act are exercising their fundamental right guaranteed under the Constitution. But the visuals

beamed on the television show that many of them are using arms – stones, bricks, lathis and some inflammable materials too and have damaged public property, even resorting to setting public and private vehicles on fire. These violent protests have taken place at places where restrictions were imposed under Section 144 of the Criminal Procedure Code (CrPC). Resorting to violence during protest is violation of a key fundamental duty of citizens. Enumerated in Article 51A, the Constitution makes it a fundamental duty of every citizen **“to safeguard public property and to abjure violence”**.

#### What the law says?

- **The Prevention of Damage to Public Property Act, 1984** punishes anyone “who commits mischief by doing any act in respect of any public property” with a jail term of up to five years and a fine or both. Provisions of this law can be coupled with those under the Indian Penal Code.
- Public property under this Act includes “any building, installation or other property used in connection with the production, distribution or supply of water, light, power or energy; any oil installation; any sewage works; any mine or factory; any means of public transportation or of telecommunications, or any building, installation or other property used in connection therewith”.
- However, the Supreme Court has on several earlier occasions found the law inadequate, and has attempted to fill the gaps through guidelines.
- In 2007, the court took suo motu cognizance of “various instances where there was large scale destruction of public and private properties in the name of agitations, bandhs, hartals and the like”, and set up two Committees headed by former apex court judge Justice K T Thomas and senior advocate Fali Nariman to suggest changes to the law.
- In 2009, in the case of *In Re: Destruction of Public & Private Properties v State of AP and Ors*, the Supreme Court issued guidelines based on the recommendations of the two expert Committees.

#### Supreme court guidelines:

- The Supreme Court held that those giving call for protests should be made liable for damage to public property. It also suggested that law should be changed to make the protesters prove their innocence.
- The protesters have often argued that they did not give a call for violence and those resorting to violence were **“outsiders”**. The Supreme Court reiterated this point in October last year.
- A three-bench of the Supreme Court ruled, **“Persons who have initiated, promoted, instigated or any way caused to occur any act of violence against cultural programmes or which results in loss of life or damage to public or private property either directly or indirectly, shall be made liable to compensate the victims of such violence.”**

#### Violent Civil Protests in India:

- Article 19 of the Indian Constitution protects freedom of speech, allowing citizens, for one, the right “to assemble peaceably and without arms.” This includes the right to form associations, hold meetings, and come out in processions.
- The Constitutional right to assembly is, however, subject to **certain regulations contained in a number of laws**, such as the Indian Penal Code, the Criminal Procedure Code, and the Police Act of 1861.
- These laws empower the government to impose certain “reasonable restrictions” on the right to assemble, if such assembly is likely to lead to a disturbance in public peace and order or if it poses a threat to national sovereignty.
- With this, the Constitution seeks a balance between the freedom of speech guaranteed in Article 19 (1) (b) and social order as defined in Article 19 (3).
- The police also have the duty to control and regulate crowds while providing citizens the space and peace to exercise their right to assembly.
- However, there are times when the protest takes a violent turn, either among the protesters or between them and the police. The risk of a protest turning violent has increased in recent times.
- Article 246 of the Constitution places ‘public order’ and ‘police’ under the jurisdiction of the state. This gives each state government full legislative and administrative powers over the police.
- Each state’s police force has two components: the civil police and the armed police. While the civil police control crime, the armed police are specialised police units that deal with extraordinary law and order situations.
- Although matters of the police are a state subject, the Constitution empowers the central government to intervene in certain police matters in order to protect the state in times of emergency.
- The Ministry of Home Affairs (MHA) can deploy Central Armed Police Forces (CAPFs) to the state to assist the state civil police and armed forces.<sup>[2]</sup>

### How does the Home Ministry and Police deal with such an issue?

- Police start with minimum force.
- Fundamental rights provide right to dissent but there are some restrictions.
- The agitators have violated certain basic set of laws.
- The law as it stands today is one has to be reasonable while demonstrating.
- There has to be permission from police and place is fixed.
- Duty of the police remains the same irrespective of the state.
- There is **no law which can stop police from entering college premises if law is broken.**

#### Way Forward:

- The right of citizens to protest and gather peacefully without arms is a fundamental aspect of India's democracy. While it is also the right of the government to protect civilians from violent protests, certain essential principles need to be kept in mind.
- A big **'no' to destruction of public properties** and big **'yes' to right to protest.**
- Force should be used by the police in a **very judicial manner.**
- There is freedom of expression, demonstration, association but intention should be correct and not violence.

## 12. STOP THE BRUTALITY

### Introduction:

- The issue of the heinous rape and murder of a Hyderabad veterinary doctor was raised in both houses of the Parliament. In the Rajya Sabha, lawmakers across party lines condemned the gruesome act and called for stricter laws against perpetrators. Rajya Sabha Chairman M Venkaiah also spoke about the dastardly crime and said 'What is required is not a new bill. **What is required is political will, administrative skill, change of mindset and then go for the kill of the social evil.** The burnt body of the veterinary doctor was found at Shadnagar outskirts in Telangana's Ranga Reddy district.
- As per the preliminary probe, the police suspect that the doctor was sexually assaulted before being charred to death. The police arrested four persons involved in the alleged rape and murder case of the veterinary doctor. Meanwhile, the body of a six-year-old girl, who was allegedly raped and strangled to death with her school belt, was found in Tonk district of Rajasthan. Police have arrested one person in connection which the brutal crime. The accused has been identified as 38-year-old Mahendra alias Dholiya.

### Related Alarming Figures:

- **1 in 3 women and girls** experience physical or sexual violence in their lifetime, most frequently by an intimate partner.
- 71% of all human trafficking victims worldwide are women and girls, and 3 out of 4 of these women and girls are sexually exploited.
- Average time to conclude a rape case in India it takes 7-10 years.
- Out of 100 victims, 9 do not report the crimes because they do not have faith in the justice delivery system.

### Reasons for assault on women:

- **Sexual brutality** is thus not an afterthought: it is the **quintessential form of political privilege and social authority** in our social context.
- Verbal and physical acts of sexualised humiliation and violence directed at the **lower castes and Dalits** are necessary for the survival of caste society and increasingly so, in the face of challenges and resistance.
- **Birth-based superiority**, illegitimate as it is, cannot be sustained, unless it is renewed day in and day out through a **combination of patent lies and brute force.**
- **Rape victims** are often encouraged by village elders and clan councils to **"compromise"** with the family of accused and drop charges or even to marry the attacker.
- Such compromises are aimed at keeping the peace between families or clan groups. What's more, a **girl's eventual prospects of marriage** are thought to be more important than bringing a rapist to justice.
- **India's court system** is painfully slow, in part because of a **shortage of judges.** The country has about 15 judges for every 1 million people, while China has 159. A Delhi high court judge once estimated it would take 466 years to get through the backlog in the capital alone.

### Society must be to Change:

- Social commitment and fear is absent in today's society
- We need to provide children with **greater parental guidance**.
- In families, there should also be a **relationship of authority and respect** between parents and their children.
- Due to the patriarchal mindsets, for every rape reported, there are so many which go unrecorded.
- Men are more likely to perpetrate violence if they have low education, a history of child maltreatment, exposure to domestic violence against their mothers, harmful use of alcohol, unequal gender norms including attitudes accepting of violence, and a sense of entitlement over women.
- National Family Health Survey-4 revealed that every third married woman had experienced physical and/or sexual violence, but only 1.5% had sought help from the police.
- Proper quality education with high morals should become the responsibility of the Government. Education from childhood should involve gender sensitization.
- Changes in school and college syllabi to educate young people on the social values of equality and respect for women's autonomy are needed.

### Suggestions and Way Forward:

- Awareness about gender equality and women's rights should be instilled in boys and girls from a very early age in order to bring about a change in the mindset of the future generation.
- **Health care support**
- **Counseling**
- There should be a special court with a woman judge and magistrate in each district.
- Mobile courts should be introduced as an effective strategy to provide justice to the victims.
- Government should ensure proper enforcement of existing laws.
- Women should be made aware of Women's commission
- Offices of the Women's commission should be opened at the district and lower levels.
- Police should be trained to be respectful and courteous to women in distress.
- A separate wing of police may be opened for dealing with women's issues, in all police stations and personnel of this wing should be exempted from other duties
- Media should be used to sensitise the officials and the public about violence so as to develop a positive attitude towards women in general, and women victims, in particular
- Censoring of the programmes should be implemented effectively, so that violence and negative impact programmes do not get undue attention of the public
- **Strengthening research and research capacity** to assess interventions to address partner violence.
- **Women should be respected at home**. When women are respected at home, then children also learn about the importance of respecting women. Parents cannot treat their sons and daughters differently.
- **Gender-sensitization programmes** should also be started for males of family, police personnel, medical fraternity etc. Police apathy, especially when a woman approaches the police should be worked upon.
- The misuse of technology has resulted in many crimes. The **right use of technology** needs to be emphasized.
- People should be made aware about **Zero FIR**.

Link: <https://youtu.be/1eXtOD5sQ>

## 13. HURDLES IN SPEEDY JUSTICE (CONTEXT- RAPE & SEXUAL ASSAULT)

### Introduction:

- Less than a fortnight after the gang rape and murder of a veterinary doctor in Hyderabad, the Andhra Pradesh Cabinet has approved a bill which proposes death penalty in cases of sexual abuse of women. It also seeks completion of the entire trial along with judgement within 21 days of filing of FIR.
  - At present there is **no provision for death penalty in Indian Laws for rape convicts** However **Criminal Law Amendment Act 2018 and amendments to the POCSO Act** provides for **death penalty as a possible punishment for aggravated sexual assault on children below the age of 18 years**. The real issue here is time taken in the final disposal of cases of rape and sexual assault.
- **Justice delayed is justice denied** is the corner stone in delivering justice, speedy trial is the essence of the criminal justice. If legal redress is available for a party that has suffered some injury, but is not forthcoming in a timely fashion, it is effectively the same as having no redress at all. Rape is a heinous crime which gives

pain and suffering to the victim both physically and mentally. It is a violative of Article 21 of the constitution, Article 21 of the constitution guarantees “ Right to life and Personal liberty” to all which includes right to live with human dignity. **Rape destroys the soul of the victim**, women are already victims of rape and they are again victimized during long trial process in the court.

- **Rape trial run in a mockery** and even after prolonged trial of rape there is an acquittal of an accused for some reasons or the other. The long rape trial and humiliating questions asked by the defense counsel destroys her completely both in the court and in the society as the stigma attached ruins her whole life. Why every time a girl has to prove that she has been raped and why the onus is not shifting on the accused.

#### **Glitches in Indian Judicial System:**

- There is general acceptance that the Indian judicial system suffers **from case delay and the use of antiquated methods**, the discourse on judicial reform remains focussed on areas such as appointments and vacancies. There is a need to identify other areas such as organisational barriers, infrastructure and court processes that also contribute to case delay are studied.
- **Nearly 2.8 crore cases** are pending in the district and subordinate courts across the country and there are **only 16,874 judges to try them** — that’s around 1,540 cases per judge.
- Another issue is Gender gap in Judiciary, **Only 28% of lower judiciary judges** in the country are women, a first-of-its-kind study by Delhi-based Vidhi Centre for Legal Policy has revealed.
- The **lack of gender diversity** is not limited to the lower judiciary. The Supreme Court has only seen six women judges in its six decades of existence, and currently has one woman judge out of 25 judges.
- In the 24 High Courts across the country, just over 10% judges are women.
- The Criminal law in India is contained in a **number of sources** – The Indian Penal Code of 1860, the Protection of Civil Rights Act, 1955, Dowry Prohibition Act, 1961 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- CJS can impose penalties on those who violate the established laws.
- The criminal law and criminal procedure are in the concurrent list of the seventh schedule of the constitution.

#### **What are the hurdles in delivering speedy justice?**

- Justice delivery system in India is bursting at the seams and may collapse unless immediate remedial **measures are adopted not only by the judiciary but also by the legislature and the executive.**
- The biggest hurdle is
- **Criminal justice system is suffering from inertia.**
- We have proper law in place but the **main loophole lies in its timely implementation and delivery of justice**
- The delay in the judicial system results in **loss of public confidence** on the concept of justice.
- No single meaningful change has been initiated since independence.
- The currently available **infrastructure of courts in India is not adequate to settle the growing litigation within reasonable time.**
- **There is complete mismatch between the number of crimes which the courts system is asked to handle and the human resource which they have in terms of number of judges, para legal staff and infrastructure.**
- Unless the human resource requirement is fulfilled, speedy justice will be an issue even if we put 21 days deadline.
- Despite the continual efforts, a common man may sometimes find himself entrapped in litigation for as long as a life time, and some times litigation carries on even on to the next generation.
- Looking at present scenario Andhra Pradesh cabinet has enacted a law without taking into consideration the ground situation.
- In the process, he may dry up his resources, apart from suffering harassment. Thus, there is a chain reaction of litigation process and civil cases may even give rise to criminal cases.
- Delays are at multiple level ie delay at investigation level, delay at trial, delay at the time of disposal of appeal.
- In **POSCO and CRPC we already have time limits but not adhered too.**
- Delay in the disposal of cases has resulted in huge backlog of pending cases in various courts of the country. In some cases delay may result in denial of justice.
- The Arrears Committee headed by Justice V. S. Mallimath identified various causes of accumulation of arrears of cases in the High Courts. Some of the principal causes are:

- Litigation explosion;
- Accumulation of first appeal;
- Inadequacy of staff attached to the High Court;
- Inordinate concentration of work in the hands of some members of the Bar;
- Lack of punctuality among judges;
- Granting of unnecessary adjournments;
- Indiscriminate closure of Courts;

#### Way forward:

- We should create **special criminal bench** in high court as that of commercial bench which is in place.
- Intention is much needed on the part of executive, legislature and judiciary.
- The right thing to do in rape cases is to **appoint senior judges in fast track courts**.
- Create **specialist benches** in the courts where judges are given training in criminal system.
- **No adjournments should be permitted**, and rape courts should be put under the direct control of High Courts.
- The state needs to avoid unprincipled criminalisation and rather focus on developing a guiding principle for re-classification of offences.
- Separating the investigation wing of the police.
- This is because unprincipled criminalisation often leads to not only the creation of new offences on unscientific grounds, but also arbitrariness in the criminal justice system.
- The Supreme Court has repeatedly admonished trigger-happy police personnel who liquidate criminals and project the incident as an encounter.

Rape which destroys the woman completely and she has left nothing except knocking the doors of the courts for the justice has to wait for prolonged trail and even after that justice is not given to her. **The right to speedy justice is not a fact or fiction but a Constitutional reality and it has to be given its due respect.** If the administration of justice delivery system is to yield good results then the courts have to act with greater promptitude. A guilty person deserves to be punished promptly and an innocent should be released immediately because his protracted in the legal system can be most traumatic. The time has come when the legal and judicial system has to be revamped and restructured so that injustice does not occur and disfigure fair and otherwise luminous face of our nascent democracy.

## ECONOMY

### 1. REJUVENATING ECONOMY

#### Introduction:

- Listing the major interventions by the govt to boost the economy Finance Minister Nirmala Sitharaman has said govt will continue to take measures as and when required to boost the growth. In a press conference Chief Economic Advisor KV Subramanian gave a recap of measures taken by the govt since August which include moderation of interest rate, infusion of liquidity through various means, capitalisation of public sector banks and giving last mile funding to reality projects. He also said that Govt's schemes to support NBFCs and HFCs and restarting stalled real estate projects are also likely to start disbursing funds soon

#### Steps which are already by the government:

- The government **slashed the corporate tax rate** to 22 per cent from 30 per cent for existing companies, and to 15 per cent from 25 per cent for new manufacturing companies.
- Including a surcharge and cess, the effective tax rate for existing companies would now come down to 25.17 per cent from 35 per cent which involved an outgo of ₹45 lakh crore.
- The government also **brought changes in IBC** where now NBFCs With ₹500 Crore Assets Can Go For Insolvency Resolution bringing the finance companies under the ambit of insolvency. Its already notified and DHFL is already in NCLT. This came against the backdrop of the ongoing liquidity crisis in the NBFCs that has also sparked concerns about the overall stability of the financial sector.
- Under the **NBFC liquidity injection** response of the government, there have been steps. Public sector banks have been sanctioned to purchase ₹21,580 crores of pooled assets as on October 16.
- Moreover, the National Housing Bank has also extended ₹30,000 cr worth of credit lines to NBFCs.

- **Housing sector** received maximum attention like NBFCs during these six months. The Centre had announced a ₹25,000 crore stimulus package for the ailing real estate sector earlier this month.
- Sitharaman had announced that the government plans to give impetus to the housing market to revive over 1,600 stalled housing projects covering 4.58 lakh units and now this window will be operational in two months.
- The decision will also **generate considerable employment, revive demand of cement, iron and steel industries and relieve stress** in other major sectors of the economy, according to the government.
- On the mega **merger of 10 PSU banks** which was also a marquee announcement in these six months, the mergers have been moving on with various approvals to start new structures as on April 1, 2020.
- The PSU Banks have also been capitalised with ₹55,250 crore bonds. However, Credit growth to the industry decelerated marginally to 3.4 per cent in October 2019, from 3.7 per cent in October 2018, according to the Reserve Bank of India's (RBI's) sectoral deployment of credit data.
- The government has also gone some steps towards **meeting the huge disinvestment target** where it took decisions on privatising BPCL, Concor and SCI along with the decision to pare stakes below 51 per cent without losing PSU characteristics.
- But it should be noted that the **measures taken by the government are still not sufficient**.

#### Causes of the slowdown:

- The slowdown in the economy is because of the **shortage in demand**.
- In India's context the demand came from government spending and credit expansion and since last couple of years they both are under stress.
- **Shortage of money (income problem)**- While currency in circulation is not a problem, the money that much of the formal economy uses for transactions, and sees as bank deposits is not finding its way to the market.
- Lacunae with financial systems- Our Financial system which converts base money to M3 is not functioning smoothly. When banks give new loans, they "create" money. When the financial system is not functioning effectively, this process of money creation slows down, **failing the money multiplier effect**. This can be seen in the **failure of banking sectors to extend loans to credit seekers in the era of increasing NPAs**.
- The government has **restrained itself from spending due to fiscal deficit targets**.
- Recent **failure of Non-Banking Finance Companies (NBFCs)** which had stepped in to support credit growth has resulted in restricted growth to ensure survival, as a result of which systemwide credit growth has slowed sharply.
- Failure to address the issues- Government has also failed in addressing these issues as there is a general apprehension of running into the risk of another build-up of bad loans.
- **Consumer sentiment is extremely low**.
- Jobs are created but not long term jobs which can stimulate the economy.
- There has been a reported **drop in the households financial savings to GDP ratio** in 2017 to 9.4% highlighting the fact that there aren't enough savings available for both the government and the private sector to be funded adequately, which further impedes the growth.
- There are several other challenges such as a **weak and ailing real-estate market, problems in agriculture, worrying levels of external dependence in India's energy ecosystem, crumbling municipal infrastructure, and stagnating capital flows**, among several others.
- **Complex GST's reforms** have affected the small businesses more.
- Black economy has gone down but the white economy has not picked up.

#### Measures required to revive the economy:

- The government should address the growth slowdown concerns; free up funds for investment and spending by banks, housing finance companies and MSMEs; and importantly, undo some controversial proposals, in the budget and outside it, which were affecting sentiment in the markets and the corporate sector.
- Promote the ease of doing business and even the ease of living for ordinary citizens.
- Restricting imports by the government should not be done because it is anti-consumer and overall raises the cost of production.
- The **issues surrounding auto sector must be addressed** – the accelerated depreciation of 15% (in addition to the existing 15%) for all vehicles acquired till March 31, 2020 and the deferment of the proposed increase in registration fee for new vehicles to June 2020 are positive measures that will boost sentiment and, it is to be hoped, translate into demand.

- The Reserve Bank of India (RBI) can quickly **increase the amount of cash** in the economy.
- We need to **follow expansionary fiscal and monetary policy**.
- **Prioritize growth now than inflation target**.
- Then banks, especially public sector banks, can use that together with interest rate policy to provide easy credit. A larger supply of credit should lead to cheaper credit.
- **Direct tax code reform** is very important for small businesses.
- This will have to be supported by reduction of the administered price of credit, which is the RBI's repo rate.
- There could be hurdles to credit off-take due to fiduciary or prudential reasons, so those need to be tackled. Same for mismatched expectations.
- **Higher liquidity** and disposable income, and **increased employment** can pull us out of the problem.
- Reduction and reform of direct individual and corporate taxes, and indirect taxes.
- **Labour laws reforms, land reforms and agriculture reforms also need to be amended** to generate employment.
- The government needs to hold granular conversations with the private sector.
- A skills and industrial policy which can make full use of an abundant pool of reasonably priced labour

Thus it is clear that the economy needs to be addressed based on the ideology of reform, perform and transform in totality to overcome the current challenges of slowdown.

## 2. NPAS DECLINE

### Introduction:

- In some good news for the Indian financial sector, non-performing assets reported by banks are showing a decline after rising constantly for seven years. An **RBI report on the trend and progress of the banking sector** shows that **gross non-performing loans of banks improved to 9.1 per cent by the close of September 2019, compared to 11.2 per cent in financial year 2018**.
- Net non-performing assets (NPAs) of all commercial banks reduced to 3.7 per cent in FY19 as against 6 per cent in FY18. Further reflecting the improvement in the health of the banking system, net NPAs nearly halved to 3.7 per cent in FY19 from 6 per cent in FY18.
- While cases referred for recovery through legal mechanism shot up, cleaning up of balance sheets through sale of bad loans to asset reconstruction companies decelerated annually and declined as a proportion of GNPA's in the beginning of FY19. As per the report this was largely due to the conducive policy environment and the Insolvency and Bankruptcy Code.

### Decline in NPA:

- Gross NPA stable at 9.1% in September quarter.
- Net NPA of all commercial banks down to 3.7% in FY 19 from 6% in FY18.
- Gross NPA of PSBs improved to 11.6% in FY19 from 14.6% in FY18.
- Net NPAs of PSBs down to 4.8% from 8% in FY18.
- PSBs Gross NPA reduced to 5.5% from 4.7%.
- Net NPAs of private sector banks at 2% compared to 2.45 last year.

### Improving health of banking sector:

- Proportion of standard assets in total advances of commercial banks increased in FY19.
- Recovery of stressed assets improved in 2019 due to IBC.
- Recovery under IBC contributed more than half of the total amount.
- Cases for recovery under various mechanisms grew 27% in volume.
- Decline of all special mention accounts, restructured standard advances, gross NPAs.
- Special mention accounts are ones with potential to become a NPA.

### NPAs:

- A non performing asset (NPA) is a loan or advance for which the principal or interest payment remained overdue for a period of 90 days.

### How are NPA classified?

- **Substandard assets:** Assets which has remained NPA for a period less than or equal to 12 months.
- **Doubtful assets:** An asset would be classified as doubtful if it has remained in the substandard category for a period of 12 months.
- **Loss assets:** As per RBI, "Loss asset is considered uncollectible and of such little value that its continuance as a bankable asset is not warranted, although there may be some salvage or recovery value."

### Impact of NPAs on Banks:

- Banks have to **adhere to the provisioning norms set by RBI** for the bad loans which eats into their profitability. This leads to banks having lesser capital to deploy, shareholders losing money and banks finding it tough to survive in the market
- If banks do not classify an asset as NPA, they naturally have more money to advance to earn interest income on. If large NPAs goes unreported, the bank could reach a situation, where it has advanced more money than it has available leading to a situation of technical bankruptcy. In light of attaining the Basel norms, the burden on maintaining Capital Adequacy Ratio increases
- It also affects the **competitive position** of banks
- For economy, it is disadvantageous as banks become more circumspect in giving loans which affect the credit offtake in economy. India is still an economy which is largely dependent on banks to raise capital as the bond market is not that well developed. This leads to declining Gross Capital Formation affecting economic growth.
- Rising of NPAs will lead to a **crisis of confidence** in the market. The price of loans, i.e. the interest rates will shoot up. Shooting of interest rates will directly impact the investors who wish to take loans for setting up infrastructural, industrial projects etc.
- It will also impact the retail consumers like us, who will have to shell out a higher interest rate for a loan.
- This **will hurt the overall demand in the Indian economy** which will lead to lower growth rates and of course higher inflation because of the higher cost of capital.
- The trend may continue in a vicious circle and deepen the crisis.

### Recovery of NPA:

- Possession/ sale of collateral.
- Restructure loans to maintain cash flow.
- Convert bad loans into equity.
- Selling of loan on discount to collection agency.

### Rise of NPA in India:

- **India's bad loans fifth highest in the world.**
- NPA rose drastically in India from 2015.
- RBI tightened norms for NPA recognition in 2015.
- Forced banks to identify standard assets as NPA.
- NPA originated in mid- 2000s due to economic boom.
- Corporations granted loans based on performance.
- Recession led to stagnated economic growth.

### Laws relating to NPA and Bankruptcy:

- **Insolvency and Bankruptcy Code, 2016**
- **SARFAESI Act, 2002**– The Act empowers Banks/ Financial Institutions to **recover their NPAs without the intervention of the court**, through acquiring and disposing secured assets without the intervention of the court in case of outstanding amounts greater than 1 lakh. SARFAESI, it is accused, has been used only against the small borrowers primarily from MSME sector.
- **Recovery of Debts Due to Banks and Financial Institutions (DRT) Act:** The Act provides setting up of Debt Recovery Tribunals (DRTs) and Debt Recovery Appellate Tribunals (DRATs) for expeditious and exclusive disposal of suits filed by banks / FIs for recovery of their dues in NPA accounts with outstanding amount of Rs. 10 lac and above. DRTs are overburdened leading to slow disposal of cases
- **Lok Adalats:** Section 89 of the Civil Procedure Code provides resolution of disputes through ADR methods such as Arbitration, Conciliation, Lok Adalats and Mediation. Lok Adalat mechanism offers expeditious, in-expensive and mutually acceptable way of settlement of dispute
- Under **banking regulation act 1949**, RBI is empowered to monitor the asset quality of banks by inspecting record books

### RBI's guidelines to resolve NPA:

- Strategic Debt Restructuring.
- Allows banks to change management of defaulter.
- Joint lenders forum.
- Lenders evolve resolution plan.
- Lenders can vote on its implementation.

#### Efforts to reduce NPAs of PSBs:

- **Change in credit culture** with Insolvency and Bankruptcy code changing creditor- borrower.
- Control of defaulting company taken away from promoters/owners.
- Infusion of Rs 2.46 lakh crore by government.
- Mobilisation of over Rs 0.66 lakh cr by PSBs themselves..
- **Fugitive Economic Offenders Act, 2018** enacted for effective action against willful defaulters fleeing Indian jurisdiction.

### 3. PSU'S: STRATEGIC SALE

#### Introduction:

- The government kicked off a blockbuster disinvestment plan, lining up the sale of five public sector units (PSUs), including majority stakes in bluechip oil company Bharat Petroleum Corp Ltd (BPCL) and Shipping Corporation of India. Also on sale will be a 31% stake in Container Corporation of India (Concor) along with management control. Based on current market prices, the sale of stakes in these three firms will fetch the Modi government about Rs 78,400 crore, taking it close to the disinvestment target for the fiscal year.
- The cabinet committee on economic affairs (CCEA), which met under the chairmanship of Prime Minister Narendra Modi, also cleared the sale of its entire stake in Tehri Hydro Development Corp of India and North Eastern Electric Power Corporation (NEEPCO) to NTPC. The CCEA also gave in-principle clearance to the reduction of the government's stake in select public sector units to 51%, "while retaining management control on case-to-case basis, taking into account the government shareholding, and the shareholding of government-controlled institution.

#### What is Disinvestment?

- Disinvestment, or divestment, refers to the act of a business or government selling or liquidating an asset or subsidiary or the process of dilution of a government's stake in a PSU (Public Sector Undertaking).

#### Disinvestment policy in India- salient features of the Policy:

- Public Sector Undertakings are the wealth of the Nation and to ensure this wealth rests in the hands of the people, promote public ownership of CPSEs
- While pursuing disinvestment through minority stake sale in listed CPSEs, the Government will retain majority shareholding, i.e. at least 51 per cent of the shareholding and management control of the Public Sector Undertakings
- **Strategic disinvestment** by way of sale of substantial portion of Government shareholding in identified CPSEs upto 50 per cent or more, along with **transfer of management control**.

#### Need for Strategic Disinvestment:

- The improvement of the performance of many companies was needed since long.
  - Government presence distorts competitive dynamics for private players.
  - Economic potential of such entities may be better discovered in the hands of the strategic investors due to various factors, e.g. **infusion of capital, technology up-gradation and efficient management practices**
  - It also results in consumers and taxpayers bearing the brunt of inefficient PSU operations.
  - Success stories like Hindustan Zinc's, which has seen a hundred-fold increase in its profits, since its takeover by Vedanta in 2002.
- Disinvestment got a much-needed boost during the Atal Bihari Vajpayee regime, when Arun Shourie was appointed the minister for disinvestments. Some of the key disinvestments under the Vajpayee administration include the strategic sale of Videsh Sanchar Nigam Limited, Hindustan Zinc, Balco, IPCL, several Indian Tourism Development Corporation hotels and Modern Food Industries. The strategic sales during that period fetched government Rs 6,344 crore. Additionally, the government began disinvesting its stake in Maruti Udyog Ltd in 2002. The government exited the company completely by 2006.
- However, disinvestment slowed under the Manmohan Singh government. It seems to have picked pace under the current dispensation. In March, the Modi government claimed that it exceeded its disinvestment target for FY19

#### Development through Disinvestment :

- Firms like BSNL, Maruti Suzuki which went for disinvestment in 2000's are now doing very well, the value of those firms are **now 17 to 18 times than they were**

- Improving the structure of incentives and **accountability of PSUs** in India.
- **Companies do well in terms of production, giving resources** to the country.
- **Reducing the financial burden on the government**
- **Improving public finances**
- **Introducing competition and market discipline**
- **Funding growth**
- **Encouraging wider share of ownership**
- Financing the increasing fiscal deficit.
- Financing large-scale infrastructure development, defense, education, healthcare etc.
- Bring relief to consumers by way of more choices and better quality of products and services, e.g. Telecom sector.
- **Disinvestment allows the transferring of the Indian government's enormous public debt of its PSU's** to the Indian private sector. By transferring the debt the Indian government's overall debt becomes greatly reduced.
- Disinvestment allows government assets allocated for profit-making ventures to instead be reallocated for use in non profit activities or **social causes** thus helping to strengthen both the non profit activities and social causes.

#### Challenges:

- **Loss making units** don't attract investment so easily.
- Government has mostly used disinvestment for fiscal reasons rather than growth objectives.
- Most firms are not clear with their **legal land rights**.
- Process of disinvestment is not favoured socially as it is against the interests of socially disadvantaged people.
- Over the years the policy of divestment has increasingly become a tool to raise resources to **cover the fiscal deficit** with little focus on market discipline or strategic objective.
- Sometimes with the emergence of private monopolies consumer welfare will be reduced.
- Mere change of ownership from public to private does not ensure higher efficiency and productivity.
- It may lead to retrenchment of workers who will be deprived of the means of their livelihood.
- Private sector governed as they are by profit motive has a tendency to use capital intensive techniques which will worsen unemployment problem in India.

#### Way Forward:

- We must have **long term strategy**.
- **Monetization of PSU assets instead of disinvestment which yield more.**
- Define the priority sectors for the government based on its strategic interests.
- Investment in PSUs has to be in terms of generation of adequate social and strategic returns.
- It should be **time bound programme**.
- The government ownership is required for sectors with strategic relevance such as defence, natural resources, etc. The government should, exit non-strategic sectors such as hotels, soaps, airlines, travel agencies and the manufacture and sale of alcohol.
- The government should look into **strengthening the regulatory framework** that ensures efficient market conditions.
- Instead of creating PSUs, the government should create regulations that would ease the entry of new players. The regulations should also ensure that the basic necessities of the consumers are met.
- Allowing **both domestic and foreign buyers to bid** freely for stakes.

Link: <https://youtu.be/5YZ5lw7QHul>

## 4. SOCIAL SECURITY CODE

#### Introduction:

- The Union Cabinet approved the fourth labour code – the Code on Social Security Bill 2019 on Wednesday. **The bill seeks to consolidate the laws relating to social security of workers and subsume eight central laws.** Last month, the Cabinet had approved Industrial Relations Code Bill, 2019 (third code), which was later introduced in the Lok Sabha.
- The Code on Wage (first code) has already been approved by Parliament. The Code on occupational safety, health and working conditions (second code) has already been introduced in the Lok Sabha and

later sent to a standing committee for review. This would be pushed for passage in the Budget Session after the committee's report submission in the House. The Social Security Code will subsume 8 Central Labour Acts namely Employees Compensation Act, 1923, Employees' State Insurance Act, 1948, Employees Provident Funds and Miscellaneous Provisions Act, 1952, Maternity Benefit Act, 1961, Payment of Gratuity Act, 1972, Cine Workers Welfare Fund Act, 1981, Building and Other Construction Workers Cess Act, 1996, Unorganized Workers Social Security Act, 2008.

### **The Code on Social Security, 2019:**

The Code on Social Security, 2019 was introduced in Lok Sabha by the Minister of State for Labour and Employment, Mr. Santosh Kumar Gangwar, on December 11, 2019. It replaces eight laws related to social security, including the Employees' Provident Fund Act, 1952, the Maternity Benefit Act, 1961, and the Unorganised Workers' Social Security Act, 2008. Social security refers to measures to ensure access to health care and provision of income security to workers.

- **Social security schemes:** Under the Code, the central government may notify various social security schemes for the benefit of workers. These include an Employees' Provident Fund (EPF) Scheme, an Employees' Pension Scheme (EPS), and an Employees' Deposit Linked Insurance (EDLI) Scheme. These may provide for a provident fund, a pension fund, and an insurance scheme, respectively. The government may also notify: (i) an Employees' State Insurance (ESI) Scheme to provide sickness, maternity, and other benefits, (ii) gratuity to workers on completing five years of employment (or lesser than five years in certain cases such as death), (iii) maternity benefits to women employees, (iv) cess for welfare of building and construction workers, and (v) compensation to employees and their dependants in the case of occupational injury or disease. In addition, the central or state government may **notify specific schemes for gig workers, platform workers, and unorganised workers** to provide various benefits, such as life and disability cover. Gig workers refer to workers outside of the traditional employer-employee relationship (e.g., freelancers). Platform workers are workers who access other organisations or individuals using online platforms and earn money by providing them with specific services. Unorganised workers include home-based and self-employed workers.
- **Coverage and registration:** The Code specifies different applicability thresholds for the schemes. For example, the EPF Scheme will apply to establishments with 20 or more employees. The ESI Scheme will apply to certain establishments with 10 or more employees, and to all establishments which carry out hazardous or life-threatening work notified by the central government. These thresholds may be amended by the central government. All eligible establishments are required to register under the Code, unless they are already registered under any other labour law.
- **Contributions:** The EPF, EPS, EDLI, and ESI Schemes will be financed through a combination of contributions from the employer and employee. For example, in the case of the EPF Scheme, the employer and employee will each make matching contributions of 10% of wages, or such other rate as notified by the government. All contributions towards payment of gratuity, maternity benefit, cess for building workers, and employee compensation will be borne by the employer. Schemes for gig workers, platform workers, and unorganised workers may be financed through a combination of contributions from the employer, employee, and the appropriate government.
- **Social security organisations:** The Code provides for the establishment of several bodies to administer the social security schemes. These include: (i) a Central Board of Trustees, headed by the Central Provident Fund Commissioner, to administer the EPF, EPS and EDLI Schemes, (ii) an Employees State Insurance Corporation, headed by a Chairperson appointed by the central government, to administer the ESI Scheme, (iii) national and state-level Social Security Boards, headed by the central and state Ministers for Labour and Employment, respectively, to administer schemes for unorganised workers, and (iv) state-level Building Workers' Welfare Boards, headed by a Chairperson nominated by the state government, to administer schemes for building workers.
- **Inspections and appeals:** The appropriate government may appoint Inspector-cum-facilitators to inspect establishments covered by the Code, and advise employers and employees on compliance with the Code. Administrative authorities may be appointed under the various schemes to hear appeals under the Code. For instance, the appropriate government may notify an appellate authority to hear appeals against the order of the Inspector-cum-facilitator for non-payment of maternity benefits. The Code also specifies judicial bodies which may hear appeals from the orders of the administrative authorities. For example, industrial tribunals (constituted under the Industrial Disputes Act, 1947) will hear disputes under the EPF Scheme.

- **Offences and penalties:** The Code specifies penalties for various offences, such as: (i) the failure by an employer to pay contributions under the Code after deducting the employee's share, punishable with imprisonment between one and three years, and fine of one lakh rupees, and (ii) falsification of reports, punishable with imprisonment of up to six months.

#### **Why is there a need for such a code?**

- To amalgamate a clutch of existing laws and proposes several new initiatives including universal social security for unorganized sector workers and, insurance and health benefits for gig workers.
- To Corporatize of existing organizations like EPFO and ESIC headed by people other than the labour minister.

#### **Is it the good step to achieve maximum social security for our workforce?**

- Social safety related to labour laws has indeed become
- Things have changed and we have to **incline to the requirements of present day.**
- It should be looked into that there is no hindrance to present day employment creation.
- The number of people employed in the **gig economy is increasing day by day.**
- But they are the **ones who are not covered under the law.**
- For the first time this code brings them under insurance security laws.
- As we grew, our economy has diversified and our labour laws had not been undated.
- The people working in the plantation sector, ola, uber, wielding, e-commerce platforms will now be given social security.

#### **From economic point of view, how important is it to come out of this old archaic laws?**

- The labour markets both geographically and employment wise is fragmented.
- But the code still leaves some of the fragmentation intact.
- It has 2 different version for organized and unorganized workers separately.
- There is **high level of distinction intact** because of which informalization they persist more.

#### **How this 4 labour codes help the labour workforce?**

- There is general apathy towards labour laws.
- Employers are so allergic to labour rules and regulations laws that many a times they resist from setting a new enterprise.
- Idea behind the new codes are to create more and more employment so proper conducive environment is created.
- Implementation was difficult of earlier 44 laws.
- The code is simpler, remove contradiction in definition, regime to give protection and further their welfare, benefits and incentives to workers.

#### **Challenges and loopholes in the bill:**

- The Bill fails to appreciate that provision of meaningful social security on such a massive scale is **beyond the capacity of any single ministry** at any single level of government, and that social security has to be fundamentally rethought, instead of creating a patchwork drawn from different extant laws.
- The vision to universalise social security is absolutely the right one. Social security has traditionally encompassed, apart from income security in retirement, child and family benefits, sickness and healthcare benefits, maternity benefits, disability benefits, old-age benefits, survivors' benefits, unemployment benefits and employment guarantees, and employment injury benefits.
- **Housing and education are key pre-requisites** of such security, if not integral parts of it. All these cannot be delivered by any single scheme or by any single department or ministry, to a population as large as India's.
- Nor can these be delivered from the funds contributed by workers and their employers whether into the provident fund or into any corporate social responsibility fund. The present government seeks to provide healthcare to all. And housing for all. These are to be funded by the exchequer. These point to the overlap between welfare policies of the government and social security narrowly conceived.
- Therefore, it is essential to rethink social security from top to bottom. It should be envisaged holistically, its different components delegated to different arms and agencies of the government at all levels. Quality education that equips people to learn throughout their lives and regular upgradation of skills in this era of rapid technological obsolescence should also be part of it.

#### **Conclusion:**

- It is a **giant step** in the way of reforms.
- It is very robust to cover each and every one under social security.

- Attempt is made to bring all unorganized workers under it.
- But more substantial reforms will be needed in the **operative part of it**.

## 5. RECIPROCAL TRADE POLICY

### Introduction:

- Highlighting the principle of reciprocal access to global market, Commerce and Industry Minister Piyush Goyal has said that if Indian companies are not allowed to participate in businesses or opportunities emerging in any country then India will also not allow those countries to participate in India.
- He also made a statement in the upper house on Tuesday on India's decision to not join RCEP and said India has not benefited to its expected potential from some of the Free Trade Agreements. He stressed on the need for a balanced market access outcome across all pillars of negotiations, fair trade practices, open market based operations and transparency.

### Reciprocal trade agreements

- **Reciprocity**, in international trade, the **granting of mutual concessions in tariff rates, quotas, or other commercial restrictions**.
- Reciprocity implies that these concessions are neither intended nor expected to be generalized to other countries with which the contracting parties have commercial treaties.
- Reciprocity agreements may be made between individual countries or groups of countries.
- The logical extension of reciprocity is the development of a full customs union that eliminates by progressive mutual concessions all tariffs and other restrictions between participating countries
- Countries use bilateral/regional trade agreements to increase market access and expand trade in foreign markets. These agreements are called **reciprocal trade agreements (RTAs)** because members grant special advantages to each other.
- **RTAs include** many types of agreements, such as preferential arrangements, free trade agreements, customs unions, and common markets, in which members agree to open their markets to each other's exports by lowering trade barriers.

### Why is there a need for RTAs?

- They have become an increasingly prominent feature of the multilateral trading system in recent years, in part, because of stalled global negotiations taking place under the auspices of the World Trade Organization (WTO).
- Many observers believe that RTAs deepen market integration and complement efforts by the WTO to liberalize international markets.
- While acknowledging that RTAs can open up markets, other observers contend that these agreements also distort trade and discriminate against nonmember countries.

### The Reciprocal Trade Agreements Act:

- The Reciprocal Trade Agreements Act of 1934 is a **S federal statute**.
- This Act aims to **make provisions for negotiation of tariff agreements between the U.S. and other nation**
- Through negotiation the Act brings reduction of duties.
- The provisions of the Act encompass rules for the principal-supplier relationship.
- The major provisions of the Act later formed the part of the General Agreement on Tariffs and Trade (GATT) Agreement.
- Thus Act through reduction in tariff encourages the trade relation between U.S. and other foreign countries.
- The Act in fact amended the Tariff Act of 1930 and this Act was later amended by the Trade Expansion Act of 1962.

### Generalised System of Preferences (GSP):

- The **Generalized System of Preferences (GSP)** is a U.S. trade program designed to **promote economic growth in the developing world** by providing preferential **duty-free entry** for up to 4,800 products from 129 designated beneficiary countries and territories.
- GSP was instituted **on January 1, 1976**, by the **Trade Act of 1974**.
- GSP has been given on **non-reciprocal basis** yet the US has linked it **with market access and tariff reduction** which is against the basic tenets of GSP.
- Often GSP authority lapses before it is renewed, in which case **duties on imports** that are normally covered are held in **escrow pending renewal**.

- US President has said he intends to **end the preferential trade status** granted to India and Turkey, asserting that New Delhi has failed to assure America of “**equitable and reasonable**” access to its markets, an announcement that could be seen as a major **setback to bilateral trade ties**.

#### **Trade imbalance between India and RCEP partners:**

- India’s experience with the **previously concluded FTAs hasn’t been good**.
- India is wary of its market being flooded with the Chinese goods once the deal is approved.
- The partnership will have an impact on sectors such as steel, pharmaceuticals, e-commerce, food processing, agriculture, intellectual property, and food security.
- The presence of China creates apprehensions, especially when it enjoys manufacturing surplus and is already dumping its products across the world, including in India.
- Apart from China, India is also losing out to financial and technological hub of Singapore, agriculture and dairy majors Australia and New Zealand, plantations of South East Asian countries, and pharmaceutical trade with China and the US.
- With e-commerce as part of RCEP discussion, the Indian resistance at WTO of not letting the discussion on digital trade will weaken.
- Many of the **RCEP countries are also resisting India’s offer on export of services**.
- The free movement of investments will benefit investors in the US, Singapore, Japan and China, but very few Indians will be taking advantage of this.
- Zero tariff on steel import would open flood gates of Chinese imports into India.
- The gulf between India and the other 15 countries in the RCEP remains deep, and it isn’t clear how or if it can be bridged.
- The exports from ASEAN into India have grown far quicker than Indian exports to the bloc.
- Indian companies want **more market access for services**.
- India has constantly resisted provisions on intellectual property rights.
- India doesn’t want to commit to provisions over and above the TRIPS (Trade-Related Aspects of Intellectual Property Rights) agreement under the WTO, as that could be detrimental for the domestic generic pharmaceutical industry.
- India has already opposed few proposals on patent extensions and restrictive rules on copyright exceptions.
- In the past, too, **India has not been able to get a fair deal with respect to services trade, despite giving greater market access in goods trade**.

#### **Way Forward and Conclusion:**

- Reciprocal Trade Agreements **determine the world’s trading pattern** and basis of trade is comparative advantage.
- Tariff and non tariff barriers prevent the **actual comparative advantage** with the member country.
- India has come from the position of strength.
- The weakening of **WTO Appellate mechanism** it is very important for India to protect its national interest.
- We should thrive hard to **protect and expand services sector** because it is our comparative advantage.
- The entire economy should be built in such a way that we can achieve our 5 trillion target with keeping our national interest ahead.

## SCIENCE & TECH

### 1. FASTAG- NO MORE QUEUES

#### **Introduction:**

- Starting December 15th, all four-wheelers in India must have FASTag Radio Frequency Identification stickers on their windscreen to make payments at toll plazas on all national highways across the country. This means that from next month onwards, toll payments will be made only through FASTags under the National Electronic Toll Collection programme.
- The pan-India programme is intended to **remove bottlenecks and ensure seamless movement of traffic**. In case of non-compliance, double the toll amount will be charged for traveling through FASTag lanes without tags. There will of course be a hybrid lane as well, where the usual toll will be charged from non-FASTag vehicles.

### **FASTag:**

- FASTag is a simple to use, **reloadable tag which enables automatic deduction of toll charges and lets you pass through the toll plaza without stopping for the cash transaction.**
- FASTag is linked to a prepaid account from which the applicable toll amount is deducted. The tag employs Radio-frequency Identification (RFID) technology and is affixed on the vehicle's windscreen after the tag account is active.
- FASTag is a perfect solution for a hassle free trip on national highways. FASTag is presently operational at 450 toll plazas across national and state highways.
- More toll plazas will be brought under the FASTag program in the future.

### **What is Electronic Toll Collection (ETC) / FASTag?**

- NHAH has rolled out program for Electronic Toll Collection on Toll Plazas on National Highways to be called FASTag.
- FASTag is a device that employs Radio Frequency Identification (RFID) technology for making toll payments directly from the prepaid account linked to it. It is affixed on the windscreen of your vehicle and enables you to drive through toll plazas.
- FASTag has a validity of 5 years and after purchasing it, you only need to recharge/ top up the FASTag as per your requirement.
- FASTag offers near non-stop movement of vehicles through toll plazas and the convenience of cashless payment of toll fee with nation-wide interoperable Electronic Toll Collection Services.

### **What are the benefits of using FASTag?**

- Ease of payment – No need to carry cash for the toll transactions, saves time
- Near non-stop movement of vehicles leading to lower fuel cost.
- Online Recharge – FASTag can be recharged online through Credit Card / Debit Card / NEFT/ RTGS or Net banking
- SMS alerts for toll transactions, low balance, etc.
- Online Portal for customers
- Validity of 5 Years
- Environmental benefit
- Reduced air pollution
- Reduced use of paper
- Social benefit
- Reduced toll payment hassles
- Analytics for better highway management

### **On which highways / roads FASTag can be used?**

- FASTag is presently operational at 240+ toll plazas across National Highways. More toll plazas will be brought under the FASTag program in the future.

### **What are the charges for FASTag?**

- FASTag has a one time Fee of ₹ 200. The refundable security deposit depends on the vehicle type.

### **How will I get to know if and how much toll has been debited?**

- The customer will receive an SMS with requisite details to his registered mobile number as soon as the toll transaction takes place. Periodic statement of account may also be obtained on website of the Issuer Agency after registration by the customer.

### **I have two vehicles, can I use one FASTag for two vehicles?**

- You will need to take two separate FASTags for the two vehicles.

### **Can a FASTag bought for my one vehicle be used for another vehicle?**

- No, FASTag is issued to each vehicle based on KYC documents submitted. If a FASTag for instance bought for one Car is used for a Truck then such FASTag shall get blacklisted resulting into denial of vehicle passage from FASTag lanes on Toll Plazas. FASTag users are advised to desist from such practice.

### **What do I have to do if I lost my FASTag? What will happen to the account balance?**

- You will need to call customer care number of the issuer agency to block your FASTag. Once you take a new account, the issuer agency will transfer the balance to the new account.

### How would I know that the correct user fee has been deducted from my FASTag account?

- Customer will receive an SMS alert in your registered phone number each time an amount is deducted from your FASTag account. Fee payable on each toll plaza may be seen on [www.nhtis.org](http://www.nhtis.org) in addition to displayed at concerned toll plazas.

### What if I relocate to another City?

- FASTag will work on all enabled toll plazas. In case of change in city or address, the customer should inform only the Issuer Agency.

### Can one vehicle use more than one FASTag?

- It is strictly prohibited to purchase two FASTag for one vehicle. In case of multiple FASTag, customer will be responsible for operational issues.

### How does FASTag work?

- The device employs Radio Frequency Identification (RFID) technology for payments directly from the prepaid or savings account linked to it.
- It is affixed on the windscreen, so the vehicle can drive through plazas without stopping. RFID technology is similar to that used in transport access-control systems, like Metro smart card.
- If the tag is linked to a prepaid account like a wallet, or a debit/credit card, then owners need to recharge/top up the tag. If it is linked to a savings account, then money will get deducted automatically after the balance goes below a pre-defined threshold.
- Once a vehicle crosses the toll, the owner will get an SMS alert on the deduction. In that it is like a prepaid e-wallet.
- A FASTag is valid for five years, and can be recharged as and when required.

### What is RFID?

- Radio-Frequency Identification (RFID) is the use of radio waves to read and capture information stored on a tag attached to an object.
- A tag can be read from up to several feet away and does not need to be within direct line-of-sight of the reader to be tracked.

### How does a RFID system work?

- A RFID system is made up of two parts: a tag or label and a reader.
- RFID tags or labels are embedded with a transmitter and a receiver.
- The RFID component on the tags have two parts: a microchip that stores and processes information, and an antenna to receive and transmit a signal.
- The tag contains the specific serial number for one specific object.
- To read the information encoded on a tag, a two-way radio transmitter-receiver called an interrogator or reader emits a signal to the tag using an antenna.
- The tag responds with the information written in its memory bank. The interrogator will then transmit the read results to an RFID computer program.
- There are two types of RFID tags: **passive and battery powered**.
- A passive RFID tag will use the interrogator's radio wave energy to relay its stored information back to the interrogator.
- A battery powered RFID tag is embedded with a small battery that powers the relay of information.
- In a retail setting, RFID tags may be attached to articles of clothing.
- When an inventory associate uses a handheld RFID reader to scan a shelf of jeans, the associate is able to differentiate between two pairs of identical jeans based upon the information stored on the RFID tag.
- Each pair will have its own serial number.
- With one pass of the handheld RFID reader, the associate can not only find a specific pair, but they can tell how many of each pair are on the shelf and which pairs need to be replenished.
- The associate can learn all of this information without having to scan each individual item.

Link: <https://youtu.be/cwoEdDsCJng>

## 2. PHARMACEUTICAL MARKETING MALPRACTICES

### Introduction:

- A recent report by a public health group on pharmaceutical marketing practices has revealed widespread use of bribes and inducement by Pharma companies to the doctors in order to increase the sale of their products. **For doctors the Medical Council of India has a code of ethics which bars them from accepting any gifts, cash, travel facilities or hospitality from Pharma companies.**
- However for the pharmaceutical companies there is a voluntary code known as Uniform Code of Pharmaceutical marketing practices or UCPMP which experts says is a not a very effective mechanism to check the prevailing malpractices.

### Key Facts:

- India is the **largest provider of generic drugs** globally with the Indian generics accounting for **20 per cent of global exports** in terms of volume. Of late, consolidation has become an important characteristic of the Indian pharmaceutical market as the industry is highly fragmented.
- India enjoys an important position in the global pharmaceuticals sector. The country also has a **large pool of scientists and engineers** who have the potential to steer the industry ahead to an even higher level.
- Presently **over 80 per cent of the antiretroviral drugs** used globally to combat AIDS (Acquired Immuno Deficiency Syndrome) are supplied by Indian pharmaceutical firms.
- India's cost of production is **nearly 33 per cent lower** than that of the US
- Labour costs are **50–55 per cent cheaper** than in Western countries. The cost of setting up a production plant in India is 40 per cent lower than in Western countries
- **Cost-efficiency** continues to create opportunities for Indian companies in emerging markets & Africa
- India has a **skilled workforce** as well as high managerial & technical competence in comparison to its peers in Asia
- India has the **2nd largest number of USFDA-approved manufacturing plants** outside the US
- The Indian pharmaceutical market size is expected to grow to **US\$ 100 billion by 2025**, driven by increasing consumer spending, rapid urbanisation, and raising healthcare insurance among others. Pharma sector's revenues are expected to grow **by 9 per cent year-on-year through fiscal 2020**.
- India has **2,633 FDA-approved drug products**. India has over 546 USFDA-approved company sites, the highest number outside the US

### Code of Medical Conduct- MCI (wrt to the topic):

MCI has come up with code of ethics for a doctor which was last updated in 2002. They are legally enforceable group of laws. The rules define a perfect doctor.

- A practicing physician can not act as models in advertisements.
- A medical doctor should not give, solicit, or receive nor shall he offer to give solicit or receive, any gift, gratuity, commission or bonus in consideration of or return for the referring, recommending or procuring of any patient for medical, surgical or other treatment.

### Unhealthy alliance between doctors and Pharmaceuticals firms:

- It's a clear case of **self-regulation gone wrong**.
- Actually the medical representatives are sent to educate the doctors about the new developments which is in the benefit of the patients only.
- That some pharmaceutical companies give expensive gifts, distribute cash and pay for extravagant pleasure trips of doctors willing to push their products.
- Alarming is that there is **no law to punish those guilty of the unethical practice**; and the government refuses to blink.
- Result: patients are forced to buy costly medicines.
- Companies ramp up drug prices to recover the amount spent on promotion.
- The Department of Pharmaceuticals (DoP) has received some complaints against some pharmaceutical companies on unethical marketing practices.
- In 2015, the government had notified the Uniform Code for Pharmaceutical Marketing Practices (UCPMP), crucial for an industry that until now had nothing to regulate it—neither a law nor any guidelines.
- RTI revealed names of 20 firms charged with “bribing doctors, medical shopkeepers and unauthorised medical practitioners to sell their pharmaceutical products” in 2016.

### Red Flags and Fraudulent Schemes:

- The Indian pharmaceutical industry is faced with a number of challenges from a compliance point of view.
- The most prevalent fraudulent schemes in the industry relate to year-end targets, sales returns, etc., which are used as a veil to effectuate concerns around channel stuffing, free of cost products, free samples, fraud.
- These schemes are deeply entrenched into the system and are mingled into the day-to-day operations and accounting practices employed in the industry.
- Owing to the complex manner in which these schemes operate, they remain concealed unless the substance of the activity is specifically analysed.
- As an auditor and as an industry expert, one should be adequately aware of these red flags and should develop a focused audit plan and procedures to detect any misconduct.

### Why not to prescribe medicines in generic forms?

- Prime Minister Modi has created a momentum across the country for this industry.
- It has tremendous **advantage in turns of economy, rational prescribing, cut down of unnecessary usage of drugs.**
- But the **major hindrance in public to accept generic medicines** is the confidence in quality.

### Way forward:

- Pharmaceutical companies should focus more on **research and development activities** rather than only marketing aspect.
- Doctors should strictly **adhere to the code of ethics.**
- There should be appropriate discourage punishment.
- **Code for pharmaceutical firms** should be **made mandatory.**
- The law is necessary to curb the malpractices.
- **Huge infrastructure** for quality testing of generic drugs.

Source: <https://www.youtube.com/watch?v=bbYZh-sep2I>

## 3. BAN ON E-CIGARETTES

### Introduction:

- Parliament has passed Prohibition of Electronic Cigarettes Bill, 2019. Rajya Sabha passed The Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage, and Advertisement) Bill, 2019 by a voice vote after 4 hours of discussion.
- The bill was passed by the Lok Sabha on 27<sup>th</sup> November and this will replace an ordinance promulgated by the government on September 18. First time offenders will be jailed upto a year and a fine upto 1 lakh can be imposed. Repeat offenders, the jail term can be extended till 3 years with fine extending upto 5 lakh rupees.

### The Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage, and Advertisement) Bill, 2019

The Bill defines **electronic cigarettes (e-cigarettes)** as **electronic devices that heat a substance, which may contain nicotine and other chemicals, to create vapour for inhalation.** These e-cigarettes can also contain different flavours and include all forms of electronic nicotine delivery systems, heat-not-burn products, e-hookahs, and other similar devices.

- **Banning of e-cigarettes:** The Bill prohibits the production, manufacture, import, export, transport, sale, distribution and advertisement of e-cigarettes in India. Any person who contravenes this provision will be punishable with imprisonment of up to one year, or a fine of up to one lakh rupees, or both. For any subsequent offence, the person will be punishable with an imprisonment of up to three years, along with a fine of up to five lakh rupees.
- **Storage of e-cigarettes:** Under the Bill, **no person is allowed to use any place for the storage** of any stock of e-cigarettes. If any person stores any stock of e-cigarettes, he will be punishable with an imprisonment of up to six months, or a fine of up to Rs 50,000 or both. Once the Bill comes into force, the owners of existing stocks of e-cigarettes will have to declare and deposit these stocks at the nearest office of an authorised officer. Such an authorised officer may be a police officer (at least at the level of a sub-inspector), or any other officer as notified by the central or state government.
- **Powers of authorised officers:** If an authorised officer believes that any provision of the Bill has been contravened, he can search any place where trade, production, storage or advertising of e-cigarettes is

being undertaken. The authorised officer can seize any record or property connected to e-cigarettes found during the search. Further, he may take the person connected with the offence into custody.

- If the property or records found during the search cannot be seized, the authorised officer can make an order to attach such property, stocks or records

#### **Reasons to justify the ban on e-cigarettes:**

- Threat to country's tobacco control efforts
- Hindrance in achieving targets envisaged under Sustainable Development Goals, National Monitoring Framework for Prevention and Control of non-communicable diseases and National Health Policy, 2017
- Overall interest of public health of the youth and pregnant women as well
- Addictive nature of nicotine
- Scant scientific evidence for use of e-cigarettes as effective tobacco cessation aids
- Safety concern of flavours in combination with nicotine
- The government also cited **Article 47 of the Indian Constitution** to justify the ban on e-cigarettes (**Article 47 reads: "Duty of the State to raise the level of nutrition and the standard of living and to improve public health.)**

#### **Youngsters ill- informed:**

- It is a preventive decision.
- The youngsters are hooked to e- cigarettes and range of Electronic Nicotine Delivery system and the reason being super marketing by a lot of ends selling firms which are now reaching young groups and telling them that it is not harmful.
- They are designing ends in a way to resemble cigarettes which becomes fashionable for young minds to get hooked.
- No evidences that these are harm reduction devices.

#### **Harmful effects:**

- Considering the highly addictive nature of nicotine; safety concern of flavours in combination with nicotine; risk of use of other psychoactive substances through these devices; initiation of nicotine or psychoactive substances by non-smokers, especially adolescents and youth; dual use of e-cigarettes and conventional cigarettes; scant scientific evidence for use of e-cigarettes as effective tobacco cessation aids; threat to country's tobacco control efforts; hindrance in achieving the targets envisaged under Sustainable Development Goals, National Monitoring Framework for Prevention and Control of Non-communicable Diseases and National Health Policy, 2017; and in overall interest of public health as envisaged under Article 47 of the Constitution of India, the decision has been taken to prohibit/ban e-cigarettes including all forms of Electronic Nicotine Delivery Systems [ENDS), Heat Not Burn Products, e-Hookah and the like devices.

#### **How are e-cigarettes regulated worldwide?**

- India is a signatory to the **WHO Framework Convention on Tobacco Control (WHO FCTC)** which was developed in response to the globalisation of the tobacco epidemic.
- In 2014, the WHO FCTC invited all its signatories to consider prohibiting or regulating e-cigarettes in their countries.
- This was suggested due to emerging evidence on the negative health impact of these products which could result in lung cancer, cardiovascular diseases, and other illnesses associated with smoking.
- Since then, several countries such as Brazil, Mexico, Singapore, and Thailand have banned the production, manufacture, and sale of e-cigarettes.
- The states of New York and Michigan in USA banned the sale of flavoured e-cigarettes. Whereas, in UK, the manufacture and sale of e-cigarettes has been allowed based on certain conditions. Further, the advertisement and promotion, and the levels of nicotine in e-cigarettes is also regulated.

#### **Significance of the decision:**

- The decision to prohibit e-cigarettes will help protect population, especially the youth and children, from the risk of addiction through E-cigarettes.
- Enforcement of the Ordinance will complement government's efforts for tobacco control and will help in reduction of tobacco use and reduction in associated economic and disease burden.
- The WHO has also urged member countries to take appropriate steps including prohibiting these products.

## 1. 11<sup>TH</sup> BRICS SUMMIT

### Introduction:

- This year theme of BRICS is '**Economic Growth for an Innovative Future**'. The BRICS countries are Brazil, the Russian Federation, India, China and South Africa, convene for a BRICS Leaders' Summit annually.
- BRICS majorly focus on spheres of political, socio-economic coordination, in which member countries have identified business opportunities, economic complementarities and areas of cooperation. Leaders of five nations are also expected to discuss issues like the fight against **organised crime, counter-terrorism, money laundering, scientific-technical cooperation and the digital economy**.

### BRICS: Origins and now:

- On November 30, 2001, **Jim O'Neill**, a British economist who was then chairman of Goldman Sachs Asset Management, **coined the term 'BRIC'** to describe the four emerging economies of **Brazil, Russia, India, and China**.
- **It started as a investment banker**
- BRIC on the basis of econometric analyses projecting that the four economies would individually and collectively occupy far greater economic space and become among the world's largest economies in the next 50 years or so.
- It was agreed to expand BRIC to BRICS with the **inclusion of South Africa** at the BRICS Foreign Ministers' meeting in New York in September 2010.
- South Africa attended the third BRICS Summit in Sanya on April 14, 2011. Last year, leaders of the grouping commemorated the 10th anniversary of BRICS in Johannesburg.
- During the sixth BRICS Summit in Fortaleza, Brazil (2014), the leaders signed the Agreement for establishing the **New Development Bank (NDB)**.

### 11<sup>th</sup> BRICS Summit:

- 11<sup>th</sup> BRICS Summit was held in **Brasilia, Brazil**.
- At a time when the five countries are heading in different directions politically, they found ways to build a **common vision** for the world's economic future
- **Emphasis on multilateralism** and a **joint statement at Brasilia** that decried "**unilateral and protectionist**" actions.
- Member nations held dialogues on cementing ties in **trade, innovation, technology and culture**.
- The grouping decided to open a regional office of the **New Development Bank (NDB) in India**.
- **Terrorism** was one of the priority areas for BRICS 2019

### India and BRICS:

- From the Indian perspective, BRICS has emerged the **voice of developing countries, or the global south**.
- With raising challenges on issues from **WTO to climate change**, New Delhi believes BRICS has to protect the rights of the developing countries.
- **India** has to maintain the **balancing act between Russia-China** on the one side and the **US** on the other.
- India should move **closer to Latin America**.
- BRICS has put **counter-terrorism** on top of the agenda, this has been a success for India.
- India is making efforts to address glaring gaps in areas such as **counter-terrorism, the fight against climate change and UNSC reform**
- **India** was the main BRICS country behind the establishment of the **NDB and proposed the idea at the fourth BRICS summit in New Delhi**.
- **2021 BRICS Summit is scheduled in India**.

### India's stand in the BRICS Summit 2019

- India put forward the **concern of increasing terrorism** in the world.
- As per PM Modi's speech in the summit, the menacing threat of terrorism has caused the world economy of huge value of **\$1 trillion**.
- He proposed various steps that are needed to be taken in to account in order to overcome this loss.
- India invited the leaders of the participating countries to **invest in India's infrastructure development** which will eventually help in increasing the trade participation of India.
- India also proposed to hold the **first meeting of BRICS Water Ministers** in India.

### Key Focus areas:

- Climate Change
- SDG's
- International global development architecture.
- Coordination on counter terrorism
- Reformed multilateralism.
- Digital trade

### Challenges:

- Where BRICS has failed its founders is in the vision of interdependence between the five countries
- **Economic slowdown** in all countries eg India is growing at 4.5%, Russia at 1% and South Africa & Brazil less than 1%.
- Despite their combined population accounting for 40% of humanity, intra-BRICS trade still makes up just 17% of world trade.
- The New Development Bank's (NDB) vision to '**supplement the existing efforts of multilateral and regional financial institutions for global growth and development**' remains far away from realisation.
- So far the only members of NDB are its founders and its own limitations.
- Lack of transparency and good governance among member States with the bank.
- Politically, these countries are not all on the same page at the same time.
- **China has been shielding Pakistan** and has been uneasy discussing the issue of terrorism on this platform.
- Lack of a binding ideology, bilateral differences, diversity in terms of socio-cultural and political systems
- **China's overwhelming presence**, which reduces the space for other countries in the grouping.

### Conclusion:

- BRICS should promote **comprehensive development of all states** both big and small and enhanced **mutually beneficial cooperation** among them on the basis of shared interests.
- A civil society dialogue is much needed.
- BRICS nations should strive for **peaceful and politico-diplomatic settlement** of crisis and conflict in various regions of the world.
- BRICS, being one of the pillars of the emerging fairer **polycentric world order**, plays an important stabilising role in global affairs.
- **Democratization of international issues** agreements on global agendas should be reached with the widest and equal participation of all stakeholders and be based on universally recognised legal norms.
- The principle of respect for **cultural and civilizational diversity** of the world should be a top priority.
- In the storming ocean of world politics, BRICS can contribute significantly in **maintaining international stability** and ensuring global economic growth and becoming a **united centre of the multipolar world**.
- Source: [click here](#)

## 2. INDIA-JAPAN 2+2

### Introduction:

- Ahead of the annual summit meeting between Prime Minister Narendra Modi and Prime Minister Shinzo Abe in December, **India and Japan held the first ever ministerial level 2+2 dialogue** in New Delhi.
- This dialogue which involves the Defence and Foreign Ministers on both sides is seen as an endorsement of the special strategic partnership between both the Nations.

### 2+2 Dialogue:

- Till now India and Japan had a 2+2 dialogue at the secretary-level.
- Now they decided to have a 2+2 dialogue mechanism between Defence and Foreign ministers.
- This is aimed at giving political muscle to the existing diplomatic, security and defence cooperation.
- Both sides believe that the new era of India Japan relations will be strengthened by the 2+2 dialogue.
- So far, India only had a 2+2 dialogue between Defence and Foreign Ministers with the US.
- The decision to hold a ministerial level 2+2 dialogue was taken this summer during a telephone call between India's new foreign minister, Dr. S. Jaishankar, and his Japanese counterpart, Taro Kono.
- The inaugural US-India 2+2 dialogue was held in September 2018.
- The mechanism itself is quite significant. Japan is only the second country (after the United States) with which India has such a dialogue format.

- The India-Japan 2+2 dialogue is an endorsement of the *special strategic partnership* between New Delhi and Tokyo.
- More broadly, the dialogue has been driven by the **mutual desire to frame an Asia** that is not dominated by a single country and to see the emergence of a **multipolar Indo-Pacific** that is free, open, and inclusive.
- India and Japan have both approached the emerging Asian strategic framework with that goal in mind and both want an inclusive approach in the region. Both see China's approach in the region as being exclusivist. There is a clear clash between these two visions of the region.
- The idea of such a 2+2 meeting was initiated during the summit meeting between Modi and Abe in Tokyo in October 2018.
- The joint statement following the summit meeting recognized the need for such a dialogue. This would be in addition to existing strategic dialogue formats such as the **Annual Defense Ministerial Dialogue**, **Defense Policy Dialogue**, the **National Security Advisers' Dialogue**.
- Most recently, the India-Japan defense ministerial level dialogue held in September also acknowledged the importance of a 2+2 ministerial level strategic dialogue.
- Similar, but lower level, India and Japan dialogues have gone on for close to a decade now. The two have had a 2+2 foreign and defense dialogue led by secretary level officers from 2010. This dialogue was established as per the Action Plan to Advance Security Cooperation agreed between the two countries in December 2009.
- Discussions on **global commons** including maritime, outer space, and cyber space have been key themes in this dialogue.

#### **First India-Japan 2+2 Foreign and Defence Ministerial Meeting**

- It was affirmed that this dialogue will further **enhance the strategic depth of bilateral security and defence cooperation**. Acknowledging emerging security challenges, the Ministers reiterated their commitment to advancing bilateral security cooperation based on the 2008 Joint Declaration on Security Cooperation and the 2009 Action Plan to advance Security Cooperation.
- Recalling that the two sides had a shared vision of a **free, open, inclusive and rules-based Indo-Pacific region** in which the principles of sovereignty and territorial integrity are ensured, and all countries enjoy freedom of navigation and overflight, emphasized that further strengthening of bilateral cooperation was in mutual interest of both countries and would also help in furthering the cause of the peace, security and prosperity in the Indo-Pacific region.

#### **Bilateral Cooperation**

- The Ministers welcomed the progress made in deepening bilateral defence cooperation last year. In this regard, the welcome of the recently conducted second "Dharma Guardian-2019" and the second "SHINYUU Maitri-2019". They also concurred to proceed with coordination for the first India-Japan joint fighter aircraft exercise in Japan.
- The Ministers welcomed the significant progress made in the negotiations of Acquisition and Cross-Servicing Agreement (ACSA) since the announcement to commence the negotiations in October 2018.
- Acknowledging the importance of ensuring maritime safety in achieving a free, open, inclusive and rules-based Indo-Pacific, the Ministers expressed their intention to further promote cooperation in the field of capacity building in maritime security and Maritime Domain Awareness including through cooperation with other countries.
- Emphasized the need to further strengthen the defence equipment and technology.
- Appreciated the existing exchange programs between the defence educational and research institutions of the two countries and expressed their desire to continue and expand the exchange programmes.

#### **Multilateral Cooperation**

- Recalling the Japan-India-US Summit Meetings in November 2018 and June 2019, the Ministers acknowledged the trilateral cooperation with the US. The Ministers expressed their satisfaction at trilateral cooperation represented by the "**Malabar 2019**" held from September-October 2019 off the coast of Japan, mine-countermeasures exercise (MINEX) held in Japan in July 2019 and "Cope India 2018" in which Japan participated as an observer in December 2018.
- The Ministers welcomed the recent Japan-India-Australia-US Foreign Ministerial consultations in New York in September 2019.

## Regional and International Affairs

- A frank and fruitful exchange of views on the regional issues of mutual interests particularly on the security situation in the Indo-Pacific.
- The Ministers reaffirmed the **importance of supporting ASEAN centrality and unity for promoting peace and prosperity of the Indo-Pacific.**
- The Japanese side appreciated India's announcement of "Indo-Pacific Oceans Initiative" at the recent 14th EAS to create a safe, secure, stable, prosperous and sustainable maritime domain and confirmed their willingness to discuss concrete cooperation based on the Initiative.
- The Ministers exchanged views on the recent developments in the South China Sea.
- The importance of freedom of navigation and overflight, unimpeded lawful commerce and peaceful resolution of disputes with full respect for legal and diplomatic processes in accordance with the universally recognized principles of international law, including those reflected in the United Nations Convention on the Law of the Sea (UNCLOS).
- It condemned in the strongest terms the growing **threat of terrorism** and acknowledged that it constituted a major threat to peace and security in the region.
- It was emphasized the need for stronger international partnership in countering terrorism and violent extremism, including through increased sharing of information and intelligence.
- Overall, the India-Japan ministerial level 2+2 strategic dialogue is an important initiative emphasizing the deep interest in both India and Japan to further **strengthen their security and strategic engagements.** The two countries have built a strong strategic partnership in the last decade. While China may have been a factor, building this relationship was easier because of the absence of any baggage, unlike, for instance, with the United States. But India and Japan also need to build a larger coalition if they are to balance China effectively.

## ENVIRONMENT

### CLIMATE PERFORMANCE INDEX

#### Introduction:

- India has added another feather to its cap by joining the **top 10 countries in this year's Climate Change Performance Index or CCPI for the first time.** As Environment Minister Prakash Javadekar put it, India is walking the talk by **cutting down emission intensity by 21 per cent of its GDP.**
- Moreover it is on track to achieve the goal of 35 per cent emission reduction as promised in the Paris summit in 2015. More commendable is the fact that while India has stayed true to its commitments on reducing its carbon footprint, advanced nations like the United States have been included in the worst-performing countries for the first time.
- Even rich nations like Australia and Saudi Arabia which are running their economies on the basis of coal industries are also among the countries with high carbon emissions. The CCPI report was released at the 'COP 25' climate change conference in the Spanish capital Madrid.

#### About the CCPI:

- The CCPI is an independent monitoring tool of countries' climate protection performance. **It aims to enhance transparency in international climate politics and enables the comparability of climate protection efforts and progress made by individual countries.**
- Germanwatch, the NewClimate Institute and the Climate Action Network publish the Index annually.
- Published annually since 2005, the Climate Change Performance Index (CCPI) tracks countries' efforts to combat climate change.
- The implementation phase of the Paris Agreement enters a crucial phase in 2020, where countries are due to submit their updated Nationally Determined Contributions (NDCs). In light of this, the CCPI aims to inform the process of raising climate ambition. As a long-standing and reliable tool for identifying leaders and laggards in climate protection, the CCPI can be a powerful instrument to hold governments accountable for their responsibility to act on the climate crisis and of stimulating a race to the top in climate action.
- The CCPI 2020 results illustrate the main regional differences in climate protection and performance within the 57 evaluated countries and the EU.

## Methodology:

- **Country coverage: Covering more than 90% of global GHG emissions**– On the basis of standardised criteria, the CCPI (as of CCPI 2020 edition) evaluates and compares the climate protection performance of 57 countries and of the European Union (EU), which are together responsible for more than 90% of global greenhouse gas (GHG) emissions.

## Methodological approach and data sources

The CCPI assesses countries' performance in four categories:

- "GHG Emissions" (40% of overall score),
- "Renewable Energy" (20% of overall score),
- "Energy Use" (20% of overall score) and
- "Climate Policy" (20% of overall score).
- Aiming to provide a comprehensive and balanced evaluation of the diverse countries evaluated, a total of 14 indicators are taken into account
- The categories "GHG Emissions", "Renewable Energy" and "Energy Use" are each defined by four indicators:
  1. Current Level
  2. Past Trend
  3. Well-Below-2°C Compatibility of the Current Level
  4. Well-Below-2°C Compatibility of the Countries' 2030 Target.
- The remaining 20% of the assessment is based on the globally unique climate policy section of the CCPI. The index category "Climate Policy" considers the fact that climate protection measures taken by governments often take several years to have an effect on the GHG-Emissions, Renewable Energy and Energy Use indicators. This category thereby covers the most recent developments in national climate policy frameworks, which are otherwise not projected in the quantitative data.
- This category's indicators are (1) National Climate Policy and (2) International Climate Policy, and the qualitative data for these is assessed annually in a comprehensive research study. Its basis is the performance rating provided by climate and energy policy experts from non-governmental organisations (NGOs), universities and think tanks within the countries that are evaluated.

## Key results overall rating:

- **No country performs well enough** in all index categories to achieve an overall very high rating in the index.
- Therefore, once again the **first three ranks of the overall ranking remain empty**.
- **G20 performance:** only two G20 countries rank among high performers (UK and India), while eight G20 countries rank under very low performers.
- **EU performance:** Poland supersedes Ireland as the worst performing EU country in this year's index. Eight EU countries rank under high performers, while the EU as a whole falls six places and ranks under the group of medium performers in this year's index.
- CCPI newcomer Chile ranks 11th with an overall high performance.
- Top three performers:
  - **Sweden** is leading the group of high performing countries, as it has in the past two years.
  - **Denmark** moves up ten ranks to become the second best performing country in this year's CCPI.
  - **Morocco** falls one place in the overall ranking but keeps its overall high performance.
- Bottom three performers:
  - **Chinese Taipei** falls three places and now ranks 59th.
  - **Saudi Arabia** still ranks very low, but for the first time does not occupy the bottom rank of the index.
  - **The United States**, after falling three positions in last year's ranking, continues the downwards trend, sinking to the bottom of the ranking.
- **India:**
  - **India, for the first, time ranks among the top ten in this year's CCPI.**
  - The current levels of **per capita emissions and energy use are still comparatively low** and, along with ambitious 2030 targets, result in high ratings for the GHG Emissions and Energy Use categories.
  - While the country receives an overall medium rating in the Renewable Energy category, India's 2030 renewable energy target is rated very high for its well-below-2°C compatibility.

- National experts commend the government for **strong policies to support the expansion of renewable energy**, which is needed to meet the ambitious targets as recent renewable energy capacity additions are below the level required.
- Despite an overall high rating for its Climate Policy performance, experts point out that the government has yet to develop a roadmap for the phase-out of fossil fuel subsidies that would consequently reduce the country's high dependence on coal.

#### Major initiatives of the Government towards combating climate change:

- We have renewable energy targets of 450GW now.
- Green cover has been increased.
- Carbon Sink
- **National Action Plan on Climate Change (NAPCC):** The Action plan covers eight major missions on Solar, Enhanced Energy Efficiency, Sustainable Habitat, Water, Sustaining the Himalayan Ecosystem, Green India, Sustainable Agriculture and Strategic Knowledge on Climate Change.
- **International Solar Alliance (ISA):** ISA was jointly launched by the Prime Minister Narendra Modi, and the then President of France, Francois Hollande in Paris on the side-lines of CoP 21 in 2015. The vision and mission of the alliance is to provide a dedicated platform for cooperation among solar resource rich countries that lie completely or partial between the Tropics of Capricorn & Cancer.
- **State Action Plan on Climate Change (SAPCC):** State governments have drafted climate strategies aligned with the eight National Missions under the NAPCC. The strategies focus on issues ranging from climate mitigation, energy efficiency, and resource conservation to climate adaptation.
- **FAME Scheme for E-mobility:** Union Government in April 2015 launched Faster Adoption and Manufacturing of Hybrid and Electric vehicles (FAME) – India Scheme with an aim to boost sales of eco-friendly vehicles in the country. It is a part of the National Mission for Electric Mobility.
- **Atal Mission for Rejuvenation & Urban Transformation (AMRUT) for Smart Cities.**
- **Pradhan Mantri Ujjwala Yojana:** The scheme provides LPG connections to five crore below-poverty-line beneficiaries. The connections are given in the name of women beneficiaries to reduce their dependence on fossil fuels and conventional fuel like cow dung for cooking food, thus reducing air pollution.
- **UJALA scheme:** The scheme was launched by the Prime Minister Narendra Modi in January 2015 with a target of replacing 77 crore incandescent lamps with LED bulbs. The usage of LED bulbs will not only result in reducing electricity bills but also help in environment protection.
- **Swachh Bharat Mission:** Swachh Bharat Abhiyan (Clean India Movement) is a campaign that was launched by Prime Minister Narendra Modi on October 2, 2014. The campaign seeks to clean the streets, roads and infrastructure of the country's 4041 statutory cities and towns.

Link: <https://youtu.be/xhsb6Y8sxtI>

## SECURITY ISSUES

### 1. FIRE SAFETY IN INDIA

#### Introduction:

- National Capital witnessed one of the worst fire tragedies in almost two decades when at least 43 people were killed and several others injured in north Delhi's Anaj Mandi.
- Initial enquiries point out many glaring negligencies such as **locked escape routes , no fire safety equipment and no fire safety clearance from the authorities.**
- Rescue operations were also hampered due to narrow lanes. This tragedy has once again brought in focus the fire safety norms in India and to what extent are they adhered to.

#### Facts:

- According to National crime records bureau figures 17,700 Indians died and 48 people every day due to fire accidents in 2015.
- Of those who died, 62% were women
- Maharashtra and Gujarat, the two most highly urbanised states, account for about 30% of the country's fire accident deaths.
- According to India Risk Surveys 2018, outbreak of fire poses risks to business continuity and operations and ranks India at 3rd position in fire incidents, especially in Northern and Western regions of India.
- There was 300% increase in case of fire incidents in commercial buildings between 2014-15.

- From a national perspective, a study sponsored by the Ministry of Home Affairs reported that
  - A minimum of 8,599 fire stations are needed in India; however, only 2,087 are in place.
  - It was also outlined that India requires 559,681 more trained fire individuals, 221,411 firefighting equipment, and 9,337 firefighting vehicles and units.
  - The lack of investment in fire safety resulted in 17,700 Indians lives lost due to accidental fires in 2015.

#### **Loopholes in Fire Safety in India:**

- **Violation of safety norms and lack of standardisation and regulation is a major cause** of fire accidents, as large scale construction of false roofs in commercial buildings and multiplexes is against the **national building construction code**.
- High rise buildings are more prone to fire accidents as they **lack an adequate in-built fire protection system** that makes salvaging operations difficult.
- Poorly stored goods, even though they are not flammable, helps to spread fire and hinder fire fighters gain access to the seat of the fire or reduce the effectiveness of sprinkler systems.
- Unclear provisions of fire safety audit in terms of scope, objective, methodology and periodicity of a fire safety audit.
- Lack of adequate resources, preparedness and poor fire services fail to ensure fire safety cover to the population.
- **Lack of awareness** about the safety arrangements before purchasing or hiring a flat in an apartment or before starting an institution.
- **Faulty Wiring:** PUF (polyurethane foam) used for plastic insulation carries a high risk of accidental fire as most of the times it is exposed to electrical wiring which on becoming heated due to overloading or short circuit catches fire immediately.

#### **Regulations are not working:**

- There is a close correlation between deaths due to fire-related accidents and population density associated with urbanisation.
- These are man made disasters with failure in urban planning manufactured by a mix of bad regulations and compromised enforcement machinery and powerful interest groups.
- Urban areas alone require an additional 4,200 fire stations just to meet the minimum standard for response time.
- Buildings need in-built fire-fighting equipment like sprinklers and alarms that work. But there is hardly any attention.
- Regular inspections are supposed to ensure the presence of basic fire-fighting equipment as well as compliance with building norms. But there are enough loopholes, such as norms not applying for establishments with a seating capacity of less than 50 people.
- People also view inspections as a form of license raj. There is a lot of resistance
- Technological issues: urban cities have failed to invest in LIDAR-based (Light Detection and Ranging) technologies that can be used to aerially keep a track of setbacks and the presence of fire exits.
- Adequate space could have easily been retained for essential services like fire stations while redeveloping mill land, but urban cities don't do it.
- **Inspection authorities failure**

#### **Measures needed:**

- **Modernisation of Fire safety equipment:** the government should provide financial support and assistance in augmenting and modernising the fire departments
- Proper designing of electrical fittings and regular maintenance of wiring (at least once in a year).
- **Building awareness among citizens** about fire prevention and protection measures by organising fire fighting workshop once in six months in localities/Mohallas/schools with the involvement of local councillors/elected representatives.
- Fire service departments should audit critical fire prone installations (like high rise buildings, multiplexes in congested areas) periodically (once in six months) and take appropriate actions against erring establishments.
- **Proper demarcation of entry and exit points in crowded buildings, installation of fire fighting equipment** and their regular maintenance, **periodic renewal of No-objection certificates** by building owners in order to ensure fire preparedness.

### Way forward:

- **Fire service is a state subject** and has been **included as municipal function** in the XII schedule of the Constitution. The municipal corporations and local bodies are responsible for providing fire services in many states.
- All State governments should require **mandatory compliance with such safety features** for any institution handling patients or giving care.
- Certification of facilities through third-party audit should be made compulsory to eliminate conflicts of interest involving official agencies.
- The institutions should also be insured for the highest levels of public liability.
- At a broader level, governments must shed their indifference and work to make all spaces safe.
- In private, public or commercial buildings, official agencies tend to favour tokenism rather than high standards for the safety of occupants and visitors.
- They are ever-willing to “regularise” deviations in construction over time. It is time to fix responsibility for deadly accidents on a single official agency.
- There is a need to break the bureaucracy-real estate business nexus.
- Strict implementation of laws is necessary especially fire regulations
- There needs to be focus on holistic development which addresses economic growth, employment, social change. At the same time, it needs to deal with economic deprivation, environmental degradation, waste management, and proper utilisation of space.

By 2050, almost 70% of the world’s population will live in cities. India and all countries around the world must see the importance of fire safety when building and extending cities. If not, we will be walking unprepared into a deadly inferno.

Link: <https://youtu.be/hpJ3nZaIGsM>

## 2. ANTI-MARITIME PIRACY BILL

### Introduction:

- The Anti-Maritime Piracy Bill was taken up in the Lok Sabha by the Government in the winter session of parliament. The Bill is aimed at **promoting the safety and security of India’s maritime trade, and the safety of its crew members.**
- It seeks to provide stringent punishment, including the **death penalty or life imprisonment**, to those involved in piracy at sea. In recent times, the menace of piracy is growing.
- The Gulf of Aden, which separates Somalia and Yemen, has seen a major spurt in attacks by pirates operating from Somalia since 2008. This route is used by 2000 ships each month for trade between Asia and Europe and the East coast of Africa.

### Who are pirates?

- A **pirate** is a seaman, robber who attacks, **seizes or destroys** any ship at high seas and sometimes even harbors at the shore.
- Besides that, they were involved in many other illegal activities like smuggling and slave trades.
- The pirates are doing that for personal interest, **without any legal rights.**
- And as those attacks were unauthorized acts, they were treated like **criminals** in all countries.

### The Anti-Maritime Piracy Bill, 2019:

- The Anti-Maritime Piracy Bill, 2019 was introduced in Lok Sabha by the Ministry of External Affairs, Dr. Subrahmanyam Jaishankar, on December 9, 2019.

The Bill **provides for prevention of maritime piracy and prosecution of persons for such piracy related crimes.**

Key features of the Bill include:

- **Applicability of the Bill:** The Bill will **apply to all parts of the sea** adjacent to and beyond the limits of the Exclusive Economic Zone of India. Exclusive Economic Zone refers to the area of sea to which India has exclusive rights for economic activities.
- **Piracy:** The **Bill defines piracy as any illegal act of violence, detention, or destruction committed against a ship, aircraft, person or property, for private purposes, by the crew or passengers of a private ship or aircraft.** Such acts may be carried out on the high seas or in any place outside the jurisdiction of India. Inciting or intentionally facilitating such acts would also qualify as piracy. It also includes any other act that is considered piracy under international law. Piracy also includes voluntary participation in the

operations of a pirate ship or aircraft. This includes a ship or aircraft which is either: (i) intended to be used for committing any act of piracy, or (ii) has been used to commit an act of piracy, and is still under the control of the persons guilty of such act.

- **Offences and penalties:** An act of piracy will be punishable with: (i) imprisonment for life; or (ii) death, if the act of piracy includes attempted murder, or causes death. An attempt to commit, aid, abet, or procure for an act of piracy, or directing others to participate in an act of piracy will be punishable with up to 14 years of imprisonment, and a fine. Offences will be considered extraditable. This means that the accused can be transferred to any country for prosecution with which India has signed an extradition treaty. In the absence of such treaties, offences will be extraditable on the basis of reciprocity between the countries.
- **Arrest and seizure:** A ship or aircraft under the control of pirates may be seized, persons aboard may be arrested, and the property on board may also be seized. The seizure may be carried out only by: (i) a warship or military aircraft of the Indian Navy, (ii) a ship or aircraft of the India Coast Guard, or (iii) ships or aircrafts on government service, and authorised for such purpose.
- **Designated Court:** The central government, in consultation with the Chief Justice of the concerned High Court, may notify the Sessions Courts to be the Designated Courts under this Bill. It may also notify the territorial jurisdiction of each Designated Court.
- **Jurisdiction of the Court:** The Designated Court will try offences committed by: (i) a person in the custody of the Indian Navy or Coast Guard, regardless of his nationality, (ii) a citizen of India, a resident foreign national in India, or a stateless person. Further, the Court may try a person even if the person is not physically present in the Court. The Court will not have jurisdiction over offences committed on a foreign ship, unless an intervention is requested by: (i) the country of origin of the ship, (ii) the ship owner, or (iii) any other person on the ship. Warships and government ships employed for non-commercial purposes will not be under the jurisdiction of the Court.
- **Presumption of guilt:** The presumption of guilt will be on the accused if: (i) the accused is in possession of arms, explosives and other equipment which were used or intended for use in committing the offence, (ii) there is evidence of use of force against the ship's crew or passengers, and (iii) there is evidence of the intended use of bombs and arms against the crew, passengers or cargo of a ship.

#### **How important is this bill? And why was there a need of it?**

- The government is bringing the law as part of commitment made by India while signing the United Nations Convention on the Law of the Sea (UNCLOS) in 1982. The UNCLOS was ratified by India in 1995.
- The introduction of the bill comes days after some 18 Indians aboard a crude oil carrier were kidnapped off the coast of Nigeria
- **India does not have a separate domestic legislation** on piracy.
- The provisions of the Indian Penal Code pertaining to armed robbery and the Admiralty jurisdiction of certain courts have been invoked in the past to prosecute pirates apprehended by the Indian Navy and the Coast Guard. But in the absence of any specific law relating to the offence of maritime piracy in India, problems are being faced in ensuring effective prosecution of the pirates.
- **Our penal codes are only applicable upto the territorial waters.**
- It is noted that **incidents of piracy has been growing since 2008**, with the Gulf of Aden seeing a major uptick in attacks by pirates from Somalia. This route is used by about 2,000 ships each month for trade between Asia and Europe and East Coast of Africa. With the enhanced (international) naval presence in the Gulf of Aden, pirates shifted their area of operations eastwards and southwards.

It was very important to have a domestic anti-piracy legislation to provide the necessary legal framework within the country for the prosecution of those involved in piracy-related crimes and the bill is right move in the direction.

## MISCELLANEOUS

### UN HUMAN DEVELOPMENT INDEX 2019 & INDIA

#### **Introduction:**

- The United Nations Development Programme released its latest human development report on Monday. **India further improved its rank to 129 among 189 countries.** With the HDI value of 0.647, India

has made significant improvements in the basic dimensions of human development – a long and healthy life, access to knowledge and a decent standard of living.

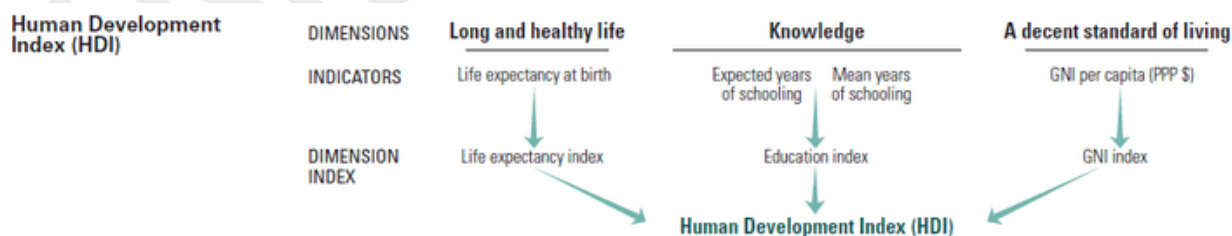
- As per the report, the overall trend globally is also towards continued human development improvements as several countries have moved up through the human development categories. But at the same time, **the report this year has analysed the rising inequality worldwide.**
- It says just as the gap in basic living standards is narrowing for millions of people, the necessities to thrive have also evolved. Despite global progress in tackling poverty, hunger and disease, a “new generation of inequalities” is opening up around education, and around technology and climate change. And if left unchecked, this could trigger a ‘new great divergence’ in society of the kind not seen since the Industrial Revolution.

#### Human Development Index (HDI):

- The Human Development Index (HDI) is a statistic composite index of life expectancy, education, and per capita income indicators, which are used to rank countries into four tiers of human development.
- A country scores a higher HDI when the lifespan is higher, the education level is higher, and the gross national income GNI (PPP) per capita is higher.
- It was developed by Pakistani economist Mahbub ul Haq and was further used to measure a country’s development by the United Nations Development Programme (UNDP)’s Human Development Report Office.
- The 2010 Human Development Report introduced an **Inequality-adjusted Human Development Index (IHDI)**. While the simple HDI remains useful, it stated that “the IHDI is the actual level of human development (accounting for inequality)”, and “the HDI can be viewed as an index of ‘potential’ human development (or the maximum IHDI that could be achieved if there were no inequality)”.
- The index does not take into account several factors, such as the net wealth per capita or the relative quality of goods in a country. This situation tends to lower the ranking for some of the most advanced countries, such as the G7 members and others.

#### Origin:

- The origins of the HDI are found in the annual Human Development Reports produced by the Human Development Report Office of the United Nations Development Programme (UNDP).
- These were devised and launched by Pakistani economist Mahbub ul Haq in 1990, and had the explicit purpose “to shift the focus of development economics from national income accounting to people-centered policies”.
- To produce the Human Development Reports, Mahbub ul Haq formed a group of development economists including Paul Streeten, Frances Stewart, Gustav Ranis, Keith Griffin, Sudhir Anand, and Meghnad Desai.
- Nobel laureate Amartya Sen utilized Haq’s work in his own work on human capabilities. Haq believed that a simple composite measure of human development was needed to convince the public, academics, and politicians that they can and should evaluate development not only by economic advances but also improvements in human well-being.



#### Dimensions:

The HDI combining three dimensions:

- A long and healthy life: Life expectancy at birth
- Education index: Mean years of schooling and Expected years of schooling
- A decent standard of living: GNI per capita (PPP US\$)

### Highlights -Human Development Index 2019:

- **India ranks 129** out of 189 countries on the 2019 Human Development Index (HDI) — up one slot from the 130th position last year.
- Norway, Switzerland, Ireland occupied the top three positions in that order. Germany is placed fourth along with Hong Kong, and Australia secured the fifth rank on the global ranking.
- Among India's neighbours, Sri Lanka (71) and China (85) are higher up the rank scale while Bhutan (134), Bangladesh (135), Myanmar (145), Nepal (147), Pakistan (152) and Afghanistan (170) were ranked lower on the list.
- As per the report, **South Asia was the fastest growing region in human development progress witnessing a 46% growth** over 1990-2018, followed by East Asia and the Pacific at 43%.
- **India's HDI value increased by 50%** (from 0.431 to 0.647), which places it above the average for other South Asian countries (0.642).
- However, for **inequality-adjusted HDI (IHDI), India's position drops by one position to 130, losing nearly half the progress** (.647 to .477) made in the past 30 years. The IHDI indicates percentage loss in HDI due to inequalities.
- The report notes that group-based inequalities persist, especially affecting women and girls and no place in the world has gender equality. In the Gender Inequality Index (GII), India is at 122 out of 162 countries. Neighbours China (39), Sri Lanka (86), Bhutan (99), Myanmar (106) were placed above India.
- The report notes that the **world is not on track to achieve gender equality by 2030 as per the UN's Sustainable Development Goals**. It forecasts that it may take 202 years to close the gender gap in economic opportunity — one of the three indicators of the GI.
- The report presents a new index indicating how prejudices and social beliefs obstruct gender equality, which shows that only 14% of women and 10% of men worldwide have no gender bias.
- The report notes that this **indicates a backlash to women's empowerment** as these biases have shown a growth especially in areas where more power is involved, including in India.
- The report also highlights **that new forms of inequalities will manifest** in future through climate change and technological transformation which have the potential to deepen existing social and economic fault lines.

### Why the report is significant?

- The Human Development Report 2019 is significant because it **focuses on inequalities in development**.
- It shows inequalities beyond income which exist in society.
- It also measures loss in the human development progress due to inequalities.
- The report also highlights the gender gaps in development.

### Criticism:

The Human Development Index has been criticized on a number of grounds, including

- Alleged lack of consideration of technological development or contributions to the human civilization,
- Focusing exclusively on national performance and ranking,
- Lack of attention to development from a global perspective,
- Measurement error of the underlying statistics, and on the UNDP's changes in formula which can lead to severe misclassification in the categorisation of "low", "medium", "high" or "very high" human development countries.

Source: <https://www.youtube.com/watch?v=U7lCeI-Vi5g>